

**COMMITTEE DATE:** 03/12/2018

**APPLICANT:** Devon County Council

**APPLICATION NO:** 15/0640/OUT

**PROPOSAL:** Residential development including new access onto Chudleigh Road and Dawlish Road and associated infrastructure. (All matters reserved for future consideration except access)

**LOCATION:** Aldens Farm East Land Between Chudleigh Road And Dawlish Road Alphington Exeter

**APPLICATION NO:** 15/0641/OUT

**PROPOSAL:** Residential development including new access onto Shillingford Road and associated infrastructure. (All matters reserved for future consideration except access)

**LOCATION:** Aldens Farm West Land Between Shillingford Road And Chudleigh Road Alphington Exeter EX2

**REGISTRATION DATE:** 05.06.2015

### **DESCRIPTION OF SITE/PROPOSAL**

Application ref 15/0640/FUL proposes outline planning permission for development for up to 234 dwellings with associated infrastructure. The application is for all matters reserved except for access, which is proposed from Chudleigh Road and Dawlish Road using an improved existing vehicular and pedestrian access. The site comprises an area of land of 8.07 hectares in total comprising open fields to the south of existing residential properties located in Steeple Drive, Pulpit Walk, Lichgate Road and Tower Walk. The boundaries of the individual fields are demarcated by existing hedgerows with some mature trees. The eastern boundary is delineated by an existing hedgerow next to Dawlish Road with a similar arrangement on the western edge of the site adjacent to Chudleigh Road. The southern boundary of the site contains an existing hedgerow with the land further to the south of the site designated for future housing development (Bovis Homes) located within the Teignbridge District Council's administrative area.

Application ref 15/0641/FUL proposes outline planning permission for development up to 116 on land between Chudleigh Road and Shillingford Road together with a new vehicular access to Shillingford Road with other all matters reserved matters. The site comprises an area of land of 4.1 hectares in total comprising of open fields to the south of existing residential properties located in Veitch Gardens and Royal Close. The boundaries of the individual fields are demarcated by existing hedgerows with some mature trees. The eastern boundary is delineated by an existing hedgerow towards but not alongside Chudleigh Road, as there exists land within separate ownership and not to be considered as part of this application. The western edge of the site adjacent to Shillingford Road contains existing hedgerows. The southern boundary of the site contains an existing hedgerow alongside Markham Lane with the land further to the south of the site designated for future housing development (Bovis Homes) located within the Teignbridge District Council's administrative area.

Both sites are located adjacent to the built up urban area of Alphington and therefore there are a number of existing services and facilities within close proximity to the site. The site is served by the existing road network, a number of bus services and is located adjacent to an existing pedestrian and cycle path network.

## **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The agent originally submitted the following reports with the application in 2015 Planning Design and Access Statement, Ecological Appraisal Review, Flood Risk Assessment, Landscape and Visual Assessment, Transport Assessment, Archaeological Report, Bat Survey Report, Dormouse Survey, Arboricultural Survey, Air Quality Assessment and Ground Investigation Report. Since these reports were submitted updated versions have been provided where necessary.

### **Transport Update** for 15/0640/FUL & 15/0641/FUL (August 2017)

Since the original transport statement there has been no change in the assessment methodology and it broadly follows the consistent approach sought by DCC for all assessments within the SWE masterplan. The trip rates from the SW Exeter Access Strategy have been used and therefore the only change in the assessment has been to the background traffic growth for the 3 years which have passed since the assessment. This is expected to be minimal in relation to the committed development traffic considered in DCC's own assessments for the local area.

The submitted assessment is also considered robust as it accounted for the impact of up to 400 dwellings, whereas the applications submitted are seeking outline approval for 350 dwellings. Therefore, any additional background traffic growth which would potentially be accounted for by conducting a reassessment in the current year would be eclipsed by the additional level of traffic already included.

In response to the Transport Assessment, DCC's own highway's consultee comments identify that improvement works will be required on the highway network surrounding the site and in the vicinity of the SWE masterplan area. These works have already been identified by DCC and contributions towards these improvements are being sought from all associated developments within the plan area.

It is therefore considered that there is limited benefit in a re-assessment being undertaken to reconsider the impacts of the developments, as the associated works are already identified and agreed. It is therefore concluded that any further reassessment would provide the same conclusions as before with the same mitigation works and associated contributions.

### **Air Quality Update** for 15/0640/FUL & 15/0641/FUL (September 2017)

The Air Quality Assessment undertaken for both applications previously submitted are still considered valid and suitable as evidence to determine the applications.

The methodology undertaken follows current guidance for undertaking air quality assessments for planning applications, as set out within the air quality planning guidance published by Environmental Protection UK and the Institute of Air Quality Management. There have been no significant changes in these guidance or approved methodologies for undertaking assessments since the previous application.

The previous assessment assessed the impact of the proposals on local air quality using traffic data derived on the basis of the methodology approved by DCC for the Transport Assessment (TA). This used trips rates derived from the SW Exeter Access Strategy and took account of anticipated growth in traffic as a result of additional development within the South-East Exeter area through the application of TEMPro growth factors.

The only change in traffic since the previous assessment was undertaken would be as a result of background traffic growth over the 3 years since the previous assessment was completed. This is expected to be minimal given that, as detailed above, the previous assessment made account for anticipated traffic growth within the future assessment scenarios.

Furthermore, the previous assessment assessed the proposed development based on impacts associated with up to 400 dwellings; whereas the applications being submitted are seeking outline approval for 350 dwellings. The previous assessment is therefore considered to represent a worst-case prediction of potential impacts on local air quality as a result of the

application and any additional impacts on local air quality as a result of background traffic growth not accounted for within the previous TEMPro growth factors would potentially be accounted for by the reduced trip rates from the revised application.

It is therefore considered that the previous air quality assessment also remains valid and there would be no benefit in undertaking a re-assessment.

**Landscape and Visual Assessment update** – for 15/0640/FUL & 15/0641/FUL (March 2018). The revised report concludes in the assessment of landscape impact that there will be moderate to substantial impacts on hedgerows and trees. However, if sensitive mitigation proposals are implemented, that allow for the retention of as many existing trees as possible and designing within the hedgerow field pattern then the impact can be minimised. The long-term impact will be less significant as the mitigation planting establishes.

The arboricultural and ecological report suggest that most of the hedges internally are of poor quality whilst the higher quality hedgerows are on the boundaries and could be retained. Whilst there will potentially be a significant loss of internal trees, hedgerows, agricultural land, good mitigation can compensate for these losses and over time even add ecological and amenity value.

Key issues arising from the impact assessment

- the proposed development for this site for residential development would fundamentally alter the land use of the area from agricultural to mixed residential.
- the site and its adjacent setting possess clear local character and distinctiveness that should be recognised and valued in any proposed development.
- the site contains landscape elements of significant arboricultural and ecological interest. Retention and protection of these elements should be allowed for in any development plan. This would include retention of historic land boundaries and the linking of new boundaries.
- the proposed development of this site would extend the built up edge of the city of Exeter. Design proposals should be appropriate to maintain this edge within the wider context of the landscape setting of Exeter.
- the extension of the built up edge of the city environs would alter the rural character of the site for the existing surrounding residences, although the visual effect of this extension would be of little visual impact for the wider landscape of the city

Mitigation and enhancement

The landscape mitigation strategy for the site should provide the following:-

- Providing a 'Green Infrastructure' Network by seeking to retain the existing established landscape framework, formed of historic hedgerow boundaries and distinctive field pattern, and to use this to help guide design layouts and protecting, enhancing and creating a variety of habitats linking to the wider countryside.
- Seek to protect and enhance important landscape elements including species rich hedgerows and mature specimen trees within the site layout.
- Seek to identify the local character and distinctive of Alphington village, and to provide proposals that respect and reinforce this sense of place.
- Increase the amenity value of the site through enhancement of the proposed development through the provision of landscape planting around buildings and along internal corridors.
- Improve ecological connectivity to enhance the species diversity of site, and provide habitats for birds, bats and other small mammals to create links from the site into the wider surrounding landscape.
- Compensate for the loss of any trees/hedgerows through additional tree and shrub planting.
- Providing a lighting scheme which avoids light spill on the landscape.
- Design components for the site include: structural landscaped framework; retention and protection of existing mature vegetation; green infrastructure links to/from the site; on site

- water attenuation facilities; site massing and layout planning to achieve a built form consistent in height with the adjacent existing settlements.
- The proposals for the development of this site are to provide a robust site layout that enables the provision of residential units within a landscape framework, linked to the surrounding wider landscape and settlements by road, cycle and pedestrian access routes.

**Ecological Appraisal/Mitigation and Enhancement Strategy** - for 15/0640/FUL & 15/0641/FUL (October 2017) provides overall conclusions.

The extended Phase I habitat surveys and scoping have shown that the habitat value of the pastures and arable land on which the proposed housing development would be constructed is limited. However the habitat value of the hedges that act as internal and external boundaries is of greater ecological significance. It has been shown that the site itself does not support any dormice, even though some of the hedges provide suitable habitat opportunities. The status and value of the site for bats has been identified.

Given appropriate mitigation, which should include the retention and enhancement of site boundaries, planting of new hedges to provide a southern boundary flight corridor, provision of appropriately managed green open space and planting up of less accessible ground as broadleaved copses, there are no overriding ecological reasons that should prevent the construction of the development that is proposed.

Ecological losses would be greatly reduced, if the grubbing out of hedges is limited to an absolute minimum and only as required. Provision of habitat and species enhancement should be integrated into the appropriate management of retained hedges, habitat creation/landscape planting, green open space provision and subsequent management. Planting should combine native trees and shrubs and exotic species with a proven value to wildlife in the areas – for example as sources of nectar and pollen.

It is recommended that the landscape plans for the proposed development should incorporate provisions specifically designed to create and enhance habitats for wildlife. It is further recommended that the ecological element should be integral within a Landscape and Ecological Management Plan (LEMP) or Biodiversity Mitigation Plan (BMP).

**Dormouse Survey update** – for 15/0640/FUL & 15/0641/FUL (November 2017). An initial dormouse survey was undertaken during 2012 for both sites. For planning applications standard best practice guidance recommends that the findings of dormouse surveys remain valid for a period of three years. After this three year period a follow up survey should be undertaken. A total of 70 dormouse tubes were placed in suitable hedgerow habitats from July to November 2017. The tubes were checked at the end of August, October and November 2017.

The tubes checks in August and October found no evidence of dormice. The final tube check at the end of November found recent dormouse nest at two location consistent with the findings of the 2012 survey to the south of the Aldens Farm sites. The 2017 dormouse survey has therefore confirmed the continued presence of a dormouse population on land to the immediate south of Aldens Farm site.

Given this finding it is still appropriate to use the information in the 2012 dormouse report for any planning application for the site. All details relating to impacts, mitigation and legal considerations within the 2012 report should be made a specific condition of any planning approval for the site. The recommendation remains valid for the next three years (up to the end of 2020). Should no development take place on site by early 2021 a follow-up dormouse survey will need to be completed.

**Bat Survey update** – for 15/0640/FUL & 15/0641/FUL (October 2018). A bat activity transect surveys and static monitoring was undertaken from August 2017 to July 2018. In addition, a ground level tree assessment was carried out in December 2017 to identify trees with bat roosting potential. For both sites low-moderate levels of bat activity were recorded on site during the bat transect and static monitoring surveys. In total 11 bat species were

recorded during the walked transects and/or static monitoring, including a mixture of common and rare/rarest species. The high proportion of barbastelle calls is of particular note, recorded during the 2017 monitoring. Despite the overall low numbers of bats, the species diversity is very high. Overall, the site is considered to be a site of value for foraging/commuting bats. However, it is of greater importance for rarer species, including barbastelle. A number of trees had the potential for roosting bats.

The ecological mitigation and enhancement strategy recommends the planting of new boundary hedgerows; planting a grassy buffer zone alongside certain existing hedgerows; promotion of a sensitive lighting scheme to be designed and implemented and installation of bat boxes/tubes on buildings within the site.

**Flood Risk Assessment** - for 15/0640/FUL & 15/0641/FUL (September 2017) The assessment has been undertaken to ascertain the constraints of the development to the site and to assess the impact of the design, with respect to flood risk, in particular downstream surface water flooding. The site lies within Flood Zone 1 and is therefore a compatible development in line with policy guidance. The site is not identified as being at risk of flooding from flood risk sources and therefore the primary mitigation for the development will be managing surface water discharges generated by the site.

As well as infiltration techniques, attenuation methods will primarily be used to dispose of surface water flows from the development and its surrounds via a restricted flow to the existing receiving surface water system. Where ground conditions and site layout permit, the application of infiltration techniques will be maximised to manage long term storage and minimise the attenuation volume. With the above measures in place the development of the site will not create any flood risk issues to the wider area.

**Affordable Housing Statement** – for 15/0640/FUL & 15/0641/FUL (August 2018) The applicant, Devon County Council as landowner and the owner of St Bridget's nursery land, have offered an affordable housing provision for both applications at 30% of the total units. As such, the S106 agreement will provide, in respect of affordable housing, for the following: 30% of the units to be affordable; 70/30 split in tenure and a mix of affordable units that responds to the identified affordable housing needs of the City in accordance with Development Plan Policies.

## **REPRESENTATIONS**

Alphington Village Forum objects to both applications for the following reasons:-

- i) The planning, design and access statement has not adequately explained or justified the development proposal for the site;
- ii) The planning, design and access statement has had insufficient regard to the Alphington Development Brief and consequently fails to meet its requirements;
- iii) Information submitted with the planning application is out of date;
- iv) No green infrastructure framework;
- v) Inadequate open space will be provided;
- vi) There will be a net loss of biodiversity;
- vii) Housing densities are unknown;
- viii) There is no provision of community facilities;
- ix) Cycle and walking routes will be inadequate;
- x) There is no proposal to provide an extended A bus route;
- xi) Air quality is likely to be worse;
- xii) There has not been a co-ordinated approach to planning of development on both sides of the Exeter/Teignbridge administrative boundary.

- Further concern raised about the provision of a bus link across Markham Lane which is not included in the Alphington Development Brief or the supported plans but promoted by Devon County Council.

- The assumption that there will be a high uptake of sustainable transport modes is disputed given the existing A bus service time and the high Alphington population of elderly people.

43 objection letters raising issues pursuant to both applications. Planning issues raised:

- 1) Loss of existing countryside;
- 2) Already too many new houses being building in the area;
- 3) Creating urban sprawl;
- 4) Insufficient infrastructure available for new dwelling ie doctors, dentists, schools, sewage, bus service and community facilities;
- 5) Severe traffic congestion will result of new development within both the Exeter and Teignbridge administrative area;
- 6) Scale of development too large of site;
- 7) Construction will cause many years of disturbance, dust and traffic;
- 8) All through school proposed for the south of the A379 will not serve the new development in Alphington;
- 9) Proposed small footbridge across A379 will be inadequate and lead to a divided community;
- 10) Insufficient community facilities;
- 11) Proposed ridgetop park will not serve the residents of Alphington – lack of SANGS closer to new community;
- 12) Missed opportunity for community involvement;
- 13) Increased traffic will lead to the potential for increased risk of injury and death to road users and pedestrians;
- 14) Need to improve/upgrade the junction onto Alphington Road to cope with the higher volume of traffic;
- 15) Unacceptable shortcut will be created between the new development and existing residential roads leading to unreasonable intrusion for existing residents;
- 16) Proposed dwellings need to be in keeping with existing properties in the area;
- 17) Need for sufficient parking for the new development;
- 18) Lack of coordination between authorities;
- 19) Adverse impact on wildlife and loss habitat, trees and hedgerow;
- 20) Potential for fly-tipping along newly created roads;
- 21) Density too high for the area;
- 22) Inadequate green space/open space;
- 23) Traffic hazard from existing driveway onto main roads;
- 24) Lack of detail submitted with the application;
- 25) Reports/assessments submitted with the application out of date;
- 26) Alphington Village would be unable to cope with increased traffic generated;
- 27) Increased pressure on already dangerous roads;
- 28) Need to address air quality to ensure traffic pollution levels are not exceeded;
- 29) No travel plan submitted with the application;
- 30) Need for cooperative housing as part of affordable housing provision;
- 31) Need to achieve low/carbon objectives, if district heating scheme considered not viable;
- 32) Fails to comply with the Development Brief for the South West;
- 33) Does not achieve policy complaint affordable housing provision;
- 34) Insufficient public consultation;
- 35) Loss of privacy;
- 36) Lack of information regarding housing densities;
- 37) Development will lead to drainage problems in the area;
- 38) Loss of agricultural land;
- 39) Lack of Marsh Barton railway halt and park and ride provision which will impact on the development being sustainable.

Objection responses specific to application 15/0640/FUL:-

1) No public access should be gained from Steeple Drive;

Comment response specific to application 15/0641/FUL:-

1) Access route across the site and the surface water balancing pond submitted for illustrative purposes should be a more direct connection;

2) Ensure connection with adjacent development site to allow more comprehensive development of the area;

3) Historic significance in the home of the Veitch family needs to be considered.

## **CONSULTATIONS**

**The County Head of Planning, Transportation and Environment** original consultation response was made in 2015. Given the time that has elapsed since these comments more up to date comments have been requested, which have confirmed that the assessment previously undertaken remain valid. Additional comment has however been made regarding the contributions that are expected towards identified mitigation measures. It is expected that DCC would take on the delivery of infrastructure, although it should be noted that the ability to do this will be dependent on sufficient development contributions being collected from the developments. Further comment is made that a recent application was made to the Housing Infrastructure Fund. If successful, this would assist with the upfront delivery of infrastructure to support the planning applications at SW Exeter.

The scale of growth proposed in the South West Exeter urban extension requires a coordinated, comprehensive approach to successfully create a sustainable community and ensure effective and timely mitigation of development impacts. If a comprehensive approach across the site allocation is not taken, there is a risk that the successful provision of infrastructure will be precluded. The comments provided as part of this response seek to support and enable the delivery of sustainable development to the South West of Exeter, as identified within the adopted Exeter City Core Strategy. The Transport Assessment (TA) submitted with the applications deals with both applications together and assesses the impacts of up to 400 dwellings.

The Highway Authority has worked with the various transport consultants for the wider South West Exeter development to agree a consistent methodology for Transport Assessments submitted with applications, The Highway Authority has considered the information submitted with this application alongside its own work and information that is available from the other applications submitted for the wider South West Exeter development area.

The application refers to the SW Exeter Access Strategy. At the time of writing the strategy, it was assumed that the development within Exeter City Council's boundary would come forward first, with the rest of the allocation likely to come forward towards the end of the plan period. Since the production of the strategy, the development has progressed and applications submitted for the majority of the rest of the allocation. It is therefore no longer appropriate to assume that the Exeter part of the development (these applications) will come forward early and the TA should not assume that these applications will be a first phase of development at SW Exeter. It should be considered as part of the wider urban extension for 2,500 dwellings. The Highway Authority has considered these applications, and their impacts, as part of a larger development.

The trip rate for the development has been taken from the Access Strategy, which is considered to be acceptable and has been agreed for the TAs. This trip rate assumes a high uptake of sustainable transport modes. The application must ensure that the developments are designed appropriately to achieve the trip rate used. This will require appropriate contributions to bus services. The indicated mode split is taken from census data based on

existing conditions and does not account for the anticipated improvements in sustainable travel provision. It should be noted though that sustainable transport modes have not been increased to take account of the low trip rate. Given that the assessment of the highway impacts is based on an acceptable vehicular trip rate this does not undermine the assessment, but it should be noted that the Highway Authority would expect a higher proportion of users of sustainable modes.

The distribution is also taken from the Access Strategy and traffic growth has been calculated using TEMPRO. Whilst TEMPRO is a useful tool for growth from the current year, it does not consider the direct impact from neighbouring development. Since the production of the Access Strategy, an updated agreed distribution has been established and used for other applications at SW Exeter. The preferred approach is for the applicant to revise the assessment taking into account the updated information, which the Highway Authority would be happy to provide. This would include assessing the impact of the development at the Chudleigh Road / A379 junction, where the Highway Authority has concerns about the performance and safety. It is noted though that this assessment has been undertaken for other applications and this would involve repeating the assessment. Given that the Highway Authority has the information available from other applications, in this instance, the Highway Authority would not require this further assessment to be undertaken. Based on previous assessments that have been undertaken, the Highway Authority considers that improvements will be required to the A379/Chudleigh Road junction.

Due to the safety concerns at the A379 / Chudleigh Road junction, it is proposed to realign the road to form a new signal junction on the A379. The land required to deliver this is within the control of Bovis. The Highway Authority does not consider it appropriate to allow this development, or others impacting on this junction, in advance of improvements being made to this junction or the road being realigned. The Highway Authority has offered to deliver improvements for this junction, including the realignment of Chudleigh Road, subject to necessary contributions from the affected developments to cover the full cost of the works. Agreement to fund these works would allow development to come forward. If this cannot be achieved, the Highway Authority would recommend a Grampian condition to restrict occupation of development until the scheme is delivered.

The means of access is a detailed matter for these applications. For both applications for Aldens Farm, priority junctions are proposed at the western and eastern edges. Priority junctions are, in principle, acceptable and the submitted capacity assessments show these junctions to operate comfortably within capacity.

To allow for local bus services to be extended through the site the provision of routes to the west and east is welcomed. The applicant is advised that a condition is likely to be recommended to provide a through route on the land between Dawlish Road and Chudleigh Road. In addition, the bus connection to the southern boundary of the Aldens West site which connects to that shown in the Bovis application should be secured.

Details of the internal road layout will need to be submitted to and agreed by the Local Planning Authority before occupation of the development. This includes a design that is suitable for a high quality bus link through the site and for pedestrian cycle connections onto adjacent roads. To ensure that appropriate restrictions are implemented across the site a contribution of £10,000 is requested towards off site Traffic Regulation Orders.

The success of development at South West Exeter will be dependent on appropriate mitigation to help alleviate the impacts of the development. This has been identified through ongoing work and is set out in the South West Exeter Access Strategy. The strategic transport infrastructure required for this development will need to be funded through the Community Infrastructure Levies of both Teignbridge and Exeter as implied through the

Authorities' respective Regulation 123 Lists. It has been assumed that the CIL regime will provide appropriate funding towards Marsh Barton Station and Alphington Park and Ride.

Appropriate payment triggers from the two CIL regimes will need to be discussed and agreed between the county council and Teignbridge District and Exeter City Councils in order to ensure that the transport infrastructure required can be delivered in a timely manner.

In summary, it is considered that the TA underestimates the full impact of development, as the assessment applies TEMPRO growth rather than considering the direct impact from the whole of the allocation. It is also considered that the impact of the development is not fully considered as the Chudleigh Road / A379 junction is not assessed. The Highway Authority considers that improvements are necessary here and although not supported by the TA due to a lack of information, there is limited benefit in the applicant undertaking a further assessment. In order to mitigate the impact of the development at the Chudleigh Road / A379 junction, a contribution towards the works will be required. The Highway Authority has identified conditions and financial contributions below which would be required if permission is granted.

### **Devon County Education Authority**

*Primary school provision* - There is no spare capacity at existing primary schools within a reasonable walking distance from the proposed development and therefore the Education Authority stresses that the early delivery of new primary provision, including nursery provision, is critical to mitigate the impacts of development and support the delivery of a sustainable community at South West Exeter.

Given that there is no spare capacity in existing primary schools, the county council will require certainty that additional school places can be provided for the development coming forward. This would be outside of the control of this application as it does not propose a school site. Therefore, the acceptability of this application is dependent on the ability to secure a school site to enable a new school to be delivered to provide school places for this application. A Grampian condition is recommended if planning permission is granted, to ensure that school places can be provided for pupils generated by this development.

*Secondary school provision* - There is limited spare capacity at existing secondary schools within Exeter to accommodate the development proposed when factoring in current increases in primary pupil numbers, the impact of approved but unimplemented development, existing school infrastructure and strategic housing allocations in the city. A development of 350 new family dwellings is expected to yield 53 secondary aged pupils. Due to some surplus capacity in the city, the equivalent of 42 places required by this development will need to be funded through the CIL. The first phase of the secondary school needs to be delivered on occupation of 1,000 dwellings within the Teignbridge allocation at South West Exeter.

*Early Years* - The county council requires early year provision to be made in the primary school for children that are 2 - 4 years of age. In a 210 place primary school there must be a minimum of 26 early year places, whilst in a 420 place school 52 places would be required. This will need to be provided from the CIL in timely manner to enable early year provision as part of the first phase of the primary school to be delivered on occupation of 200 dwellings within the Teignbridge allocation at South West Exeter.

The Education Authority stresses the importance of securing sufficient CIL funding towards appropriate education infrastructure. If such funding is not secured, the education impacts of the development would not be appropriately mitigated and the county council would not be able to support the application. Appropriate payment triggers from the CIL regime will need to be discussed and agreed in order to ensure that the education infrastructure required can be delivered in a timely manner.

As identified above, a condition will be required to manage the delivery of development alongside appropriate education infrastructure.

**Devon County Waste Management** comment that Policy W4 of the Devon Waste Plan December 2014 requires applications for major development to be accompanied by a waste audit statement that identifies the waste that will be generated during construction and operational phases and explains how it will be managed in accordance with the waste hierarchy. Since adoption of the Waste Plan, Devon County Council has published the Waste Management & Infrastructure SPD that provides guidance to applicants and district councils on preparation and consideration of waste audit statements. It is recommended to secure submission and implementation of a waste audit statement to ensure compliance with the development plan.

**Devon County Council Flood and Coastal Risk Management Team** comment that further to the information provided within the Flood Risk Assessment, Revision B (Ref: 12017/FRA1 West, dated November 2015), no objection to the proposals for the outline surface water management system is raised subject to suitable conditions being imposed. Further comment is made stating that within the detailed design of the surface water management system, above above-ground SuDS and attenuation features should be utilised unless the applicant can robustly demonstrate that they are not feasible; in almost all cases, above- and below-ground features can be used in combination where development area is limited.

**Devon County Library Services** comment that as part of the infrastructure planning work undertaken by the county council, additional local library provision has been identified as an infrastructure requirement which should be provided as part of the wider South West Exeter urban extension. It is anticipated that this will form part of the multi-purpose community building to be delivered as part of the wider urban extension. As libraries are included on the city council's regulation 123 list, any contribution towards a library provision would be through CIL.

**Highway Agency** has no objection to planning applications in connection with the residential development's connection to the A30, A38 and M5.

**RSPB** comment that given the proximity of the proposed developments to the Exe Estuary Special Protection Area (SPA) and Ramsar site (1.6 km from Aldens Farm East and 2.1 km from Aldens Farm West), and their forming part of a 2,500 unit allocation specific dedicated measures are necessary to be confident that these applications, in combination with other plans and projects, will avoid adverse effects on the SPA and Ramsar site. We understand the South West Exeter Suitable Alternative Natural Green Space (SANGS), to be implemented on land south of the A379 (c1km from the application sites) is intended to help meet the daily recreational needs of new residents of both these proposed developments, as well as new developments in Teignbridge district.

For SANGS to be effective, it is crucial that at least the minimum required sized area is fully operational (ie, ready for use in terms of access, parking and sufficiently attractive green space, including a minimum 2.5 km dog walking route) ahead of the first occupation of any of the dwellings. If not, the likelihood is that new residents will meet their recreational needs elsewhere, and consequently establish regular patterns of such use away from the SANGS, thereby likely adding to the damaging recreational pressures on the Exe Estuary SPA. We recommend the timetable for payments, delivery of the SANGS and occupation of dwellings is clarified (eg, including in relation to any phased development of both housing) and secured to avoid lack of appropriate and timely SANGS delivery. We therefore recommend a condition on any planning permissions that the appropriate area of the SWE SANGS (Ridge

Top Park) must be operational ahead of first occupation of any dwelling on Aldens Farm East and West.

Access onto these sites is not a reserved matter and the proposals include the creation of visibility splays which will likely involve removal of some hedgerow. The generic ecological mitigation recommendations seem to have been made without any reference to these specific impacts. We recommend that appropriate conditions are attached to any permissions for these applications to avoid damaging impacts on protected species, minimise hedge loss and require appropriate mitigation (eg, replacement planting or biodiversity offsets).

No information was provided to know what existing habitats may be retained on these sites. We recommend that hedges (including hedgerow trees) are prioritised for retention. However, even if hedge connectivity within the sites and with neighbouring farmland can be retained and appropriate buffers between hedges and new housing provided, there will be an inevitable loss of context from farmland hedges to hedges within a residential development and, if retained hedges become garden boundaries, they may be subject to inappropriate management including removal. We recommend that any permission is conditioned with a requirement for the applicant to make an appropriate biodiversity offsetting contribution related to loss of habitat such as hedgerow removal.

In our view, the proposed development could affect the Matford Brook, which flows through the RSPB Matford Marsh nature reserve (1km east of Aldens Farm East) before entering the Exe Estuary. We recommend the reserved matters applications provide information that reports on any risks (eg, surface water run-off into this watercourse) and how any damaging hydrological impacts (eg water quality) on the Exe Estuary SSSI, SPA and Ramsar site can be avoided. Particularly given the hydrological sensitivity of these application sites, robust, multi-functional Sustainable Urban Drainage Systems should be required.

The effectiveness of the various ecological reports' mitigation and enhancement recommendations (generic because of outline nature of the applications) is dependent on the design and layout of the proposed developments. We recommend the proposed developments incorporate nest sites, foraging opportunities and shelter for a range of species, including insects, birds and small mammals. Measures including integral nest sites for swifts (minimum overall ratio of one per dwelling), permeable garden boundaries to enable hedgehogs to travel and planting a range of native or non-invasive non-native) flowering plants, shrubs and trees should all be incorporated. We recommend that a Landscape and Environmental Management Plan to include the Biodiversity Requirements of the Residential Design Guide SPD is made a condition of the consent.

**Devon Wildlife Trust** objects to this planning application commenting that the site is used by some of the rarest bats in the UK, and has particular importance for the barbastelle bat. Where the introduction of artificial lighting into an area would cause adverse impacts upon the population of a rare bat using the flight paths and foraging habitat in this area, an offence is likely to be committed under the Conservation of Habitats and Species Regulations 2017

i) The application contravenes the requirements of para. 99 of Circular 06/2005 Biodiversity and Geological Conservation that states that *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*

The application contravenes this requirement because it is based on incomplete information and to the fact that the bat surveys carried out for the Interim Bat Activity Report were relatively limited, in relation to the large site area being considered for development.

ii) The application does not contain any evidence that it will satisfy the requirements of policy in the National Planning Policy Framework para 170 which requires that -  
*"Planning policies and decisions should contribute to and enhance the natural and local environment by:....d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"*

The ecological network running across and around the development site comprises the hedgerows and trees as well as the fields. These are likely to be important for the rare European Protected Species using the site. It is likely that, if these light sensitive bats are to continue using the site, the hedgerows and trees will need to be protected from adverse lighting impact by measures such as wide, vegetated set-backs and physical barriers. This will no doubt have a constraining effect on the amount of land that can actually be built on. There is a high probability that given the amount of development would not minimise impacts on biodiversity; would not provide net gains for biodiversity and would not establish a coherent ecological network that is resilient to future pressure.

iii) The application does not satisfy the requirements of Exeter City Council's Residential Design: Supplementary Planning Document. Para. 4.4 of the above document, outlines five design principles of which the third relates to integrating biodiversity - (iii) integrated biodiversity

*"The design and layout of new residential development will protect and enhance biodiversity on site, and enhance connections between ecological features within and across the site.  
Existing areas and features of biodiversity value should be incorporated into the design and layout and wherever reasonably possible enhanced."*

There is little evidence that this requirement has been considered in the planning application. The applicants have seriously underestimated the ecological constraints of the site.

*LPA comment - It should be noted that further information has now been made available in the form of an ecological mitigation and enhancement strategy for bat species dated October 2018 by Acorn Ecology.*

**Devon and Cornwall Police Liaison Officer** provides comment on both applications stating that from a designing out crime perspective there is too little detail to enable a full response at this stage but based on the documentation and plans submitted the following comment are made that to comply with the requirements of the NPPF specifically para 58 & 69 requires that designing out crime & disorder and crime prevention per se is referenced in any future Design and Access Statement (DAS) to indicate that such issues have been considered. There is no mention of designing out crime or crime prevention in the 2015 DAS.

It is noted that the Landscape and Visual Assessment document from 2014 alludes to the fact that 'The orientation of footpaths and the separation of pedestrians and cyclists from vehicular traffic is a question to consider'. Where possible it is important that routes for pedestrians, cyclists and vehicles are integrated to provide a network of supervised areas to reduce crime and anti-social behaviour. Additionally public footpaths should not run to the rear of, and provide access to gardens, rear yards or dwellings if possible.

**City Council's Housing Development Officer** comments on both applications:-

15/0640/01

Policy CP7 and paragraph 3.4 of the Affordable Housing SPD requires 35% of the total number of units on site to be affordable housing. However following the submission of viability information for both the Eastern and Western part of the site and the subsequent discussions with the applicant, it was decided that it was viable for the development to provide 30% affordable housing. 30% of 234 is 70.2; we would therefore expect 70 affordable units on this site.

If the percentage of affordable housing required does not equate to a whole number of dwellings, the Council will require a financial contribution to provide 'part' of an affordable home, based on the formula provided in Table 1 of Appendix 3 of the Affordable Housing SPD – Paragraph 3.5. In this case we would expect a contribution for the remaining 0.2 if a unit.

At least 70% of the affordable units to be social rent (49 units), remainder to be intermediate affordable housing (21 units) – Policy CP7 and paragraph 3.9 of the Affordable Housing SPD  
The affordable dwellings to be delivered in a mix that comprise of a mixture of house types informed by context, local housing need and the most up to date Housing Market Assessment (Policy CP5) at time of reserved matters application submission – Paragraph 3.7 of the Affordable Housing SPD.

On schemes with 20 or more dwellings, 5% of the affordable housing to be wheelchair accessible and built in accordance with the Council's Wheelchair Accessible Housing Design Standards. This would equate to 4 units. The size and type of these dwellings to meet greatest need at time of reserved matters application submission - Paragraphs 3.13 and 3.14 of the Affordable Housing SPD.

Affordable housing must be spread out across the site in clusters of no more than 10 units and spread across the site – Paragraph 3.16 of the Affordable Housing SPD

15/0641/01

Policy CP7 and paragraph 3.4 of the Affordable Housing SPD requires 35% of the total number of units on site to be affordable housing. However following the submission of viability information for both the Eastern and Western part of the site and the subsequent discussions with the applicant, it was decided that it was viable for the development to provide 30% affordable housing. 30% of 116 is 34.8; we would therefore expect 34 affordable units on this site.

If the percentage of affordable housing required does not equate to a whole number of dwellings, the Council will require a financial contribution to provide 'part' of an affordable home, based on the formula provided in Table 1 of Appendix 3 of the Affordable Housing SPD – Paragraph 3.5. In this case we would expect a contribution for the remaining 0.8 if a unit.

At least 70% of the affordable units to be social rent (24 units), remainder to be intermediate affordable housing (10 units) – Policy CP7 and paragraph 3.9 of the Affordable Housing SPD  
The affordable dwellings to be delivered in a mix that comprise of a mixture of house types informed by context, local housing need and the most up to date Housing Market Assessment (Policy CP5) at time of reserved matters application submission – Paragraph 3.7 of the Affordable Housing SPD.

On schemes with 20 or more dwellings, 5% of the affordable housing to be wheelchair accessible and built in accordance with the Council's Wheelchair Accessible Housing Design Standards. This would equate to 2 units. The size and type of these dwellings to meet greatest need at time of reserved matters application submission - Paragraphs 3.13 and 3.14 of the Affordable Housing SPD.

Affordable housing must be spread out across the site in clusters of no more than 10 units and spread across the site – Paragraph 3.16 of the Affordable Housing SPD

**City Environmental Health Officer** raises no objection subject to the imposition of conditions in respect unsuspected contamination, noise, air quality and a Construction and Environmental Management Plan.

Initial comment was made regarding the need for an air quality assessment as it was not clear whether this assessment considered cumulative impacts. Consequently the applicant was requested to confirm that the traffic data used in the assessment includes predicted traffic generated by all proposed development within the South-East Exeter area. The applicant's highway consultant has confirmed that the traffic analysis has taken into account all the proposed SW traffic. The environmental officer has confirmed that no further assessment is therefore required but requires a condition to be imposed.

The application contains no noise impact assessment. The developer should conduct an assessment to show that noise generated by the development (during the construction and operational phases) will not have an adverse impact on amenity. The assessment should also consider the impact of ambient noise on the new dwellings. This matter will be addressed by the condition imposed in respect of the Construction and Environmental Management Plan (CEMP).

**City Heritage officer** comments that the archaeological reports submitted with the applications provide sufficient information on the archaeological issues (impact on undesignated heritage assets as per the NPPF) to determine the applications and do not identify any buried remains of sufficient quality of survival that would affect the principle or layout/quantum of development.

- The two development sites are very large and extensive, and in a type of location favoured for prehistoric settlement and burial sites. Some of these have already been identified by the survey work within the western area and also immediately to the south, where a group of prehistoric barrows are protected as a scheduled monument.
- However, geophysical surveys are not infallible, and do not identify the less substantial remains such as those of timber buildings, burials or fire pits or example. These can only be identified by physical site investigations (trial trenches) and ground works. Although some trial trenching has been undertaken within both areas of these sites, and are sufficient to determine these outline applications, they are not extensive enough to be sure that no other less visible remains survive on the site.
- Both sites therefore still have the potential to contain as yet unknown remains, particularly prehistoric (and possibly Roman) ones.
- For this reason a further programme of archaeological site investigation is required as a condition of any PP for both the eastern and western areas of this site, in order to identify and to excavate and record any significant, but less substantial, remains that may be present, as well as the prehistoric remains already identified by the reports, on what is a large and extensive site - before enabling ground works and construction work commences and destroys such remains. This would be in lieu of the destruction of the latter by the development, in line with NPPF clause 199, saved local plan policy C5, and draft DMPD policy DD28.
- A standard condition should be attached to ensure that this work is carried out and completed. Further archaeological trial trenching; further area excavation of any remains identified by the trenching, to be completed before construction ground works commence; analysis, reporting and archiving of the results and any finds; to be undertaken off site in parallel with construction works.

## **PLANNING POLICIES/POLICY GUIDANCE**

The site forms part of a larger planned urban extension encompassing adjoining land within Teignbridge District. Policy SWE1 of the Teignbridge Local Plan proposes an area of approximately 170 ha adjoining Exeter to be developed for the provision of at least 2,000 new dwellings, employment, a country park and associated infrastructure. The South West Exeter Masterplan (2012), produced by consultants on behalf of Exeter City Council, Teignbridge District Council and Devon County Council, indicates how the urban extension might be delivered in a sustainable manner.

## **Central Government Guidance**

National Planning Policy Framework July 2018

2. Achieving sustainable development
4. Decision making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well designed places
14. Meeting the challenge of climate change and flooding
15. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

## **Exeter Local Development Framework Core Strategy**

- CP1 – Spatial Strategy
- CP3 - Housing Development
- CP4 – Housing Density
- CP5 – Meeting housing needs
- CP7 – Affordable Housing
- CP9 – Strategic Transport Measures
- CP10 – Community Facilities
- CP11 – Environmental Mitigation
- CP12 – Flood Risk
- CP13 – Decentralised Energy Networks
- CP14 – Renewable and Low Carbon Energy
- CP15 – Sustainable Design and Construction
- CP16 – Strategic Green Infrastructure
- CP17 – Design and Local Distinctiveness
- CP18 – Appropriate Infrastructure
- CP19 – Strategic Allocations

*The area south of Alphington is proposed for around 500 dwellings and all associated infrastructure including:-*

- green infrastructure framework;*
- low and zero carbon infrastructure;*
- enhancements to transport infrastructure in particular the strategic road network; and*
- contributions towards other educational, social and community facilities.*

*The relevant Core Strategy text states that:-*

*South of Alphington, between the urban area and the city boundary, there is capacity for around 500 dwellings. The area would deliver a compact urban extension with associated infrastructure.*

*The area consists of a number of fields with mature boundary hedges that rise gently to the south to a ridge. This prominent ridge forms the city's administrative boundary and proposals should respond sensitively to this feature.*

*The development form would be expected to relate well to adjoining housing. Densities should be appropriate to the location and it will be important to ensure that the amenity of existing residents is protected. The development should follow the principles of good urban design to ensure that the resulting development is both attractive and locally distinctive.*

*The development must have good permeability for pedestrians and cyclists throughout with links to surrounding areas. The development would also be expected to contribute to enhanced transport infrastructure within the area. Improvements to the Alphington Road corridor will be required, a proposed enhanced public transport service could link this development to the City Centre, and a new rail halt at Matford on the Exeter to Plymouth line is proposed.*

*The development of 500 new dwellings would result in significant additional pressure on existing facilities. Contributions towards the improvement of existing educational, social and community facilities, will be sought where no facility is required on site.*

*Whilst the capacity of the land within the city is for around 500 dwellings, the Regional Spatial Strategy Proposed Changes proposed an urban extension to the south west of the city of around 2,500 dwellings that would include the dwellings within the city and approximately 2,000 dwellings in Teignbridge.*

*The prospect of a larger urban extension offers both challenges and potential opportunities. The larger urban extension could support its own centre, on-site community facilities, including a new secondary school, a new park and ride, significant green infrastructure and improvements in the movement network giving access to surrounding countryside.*

*Teignbridge and Exeter will work closely together to ensure a comprehensive masterplan guides the area.*

### **Exeter Local Plan First Review 1995-2011**

AP1 – Design and location of development

AP2 – Sequential approach

H1 – Housing land search sequence

H2 – Housing location priorities

H5 – Diversity of housing

T1 – Hierarchy of modes of transport

T2 – Accessibility criteria

T3 – Encouraging use of sustainable modes of transport

LS1 – Landscape Setting

C5 – Archaeology

EN2 – Contaminated land

EN5 – Noise

DG1 – Objectives of urban design

DG2 – Energy conservation

DG7 – Crime prevention and safety

### **Exeter City Council Development Delivery DPD**

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

DD1 – Sustainable Development

DD25 – Design Principles

DD26 – Designing out Crime

DD28 – Heritage Assets

DD34 – Pollution

### **Exeter City Council Supplementary Planning Documents**

#### **Development Brief for South West Alphington**

Summary of Brief relevant to these outline applications.

The development as a whole must deliver a mix of housing that is informed by context and the most up-to-date Strategic Housing Market Assessment for Exeter. Any development must include 35% affordable housing, subject to viability, to be provided on-site as an integrated part of the scheme. Co-operative housing may form part of the affordable housing mix. The City Council will accept the provision of an extra care facility as part of the development and as part of the affordable housing provision.

The site area must be developed for residential use, at a density, which represents an efficient use of land. An average net density of less than 30 dph is unlikely to be consistent with this.

Recent developments on the edge of Exeter have achieved an average net density of around 35 dph. In order to respect the character and appearance of neighbouring residential areas, the topography of the site and its proximity to a Scheduled Ancient Monument, those areas along the northern and southern boundaries of the site must be developed at around 20 dph. Higher densities will be appropriate towards the centre of the site.

1.44 ha of the site must be provided as level public open space. The public open space must be an integral element of the site's overall design and located so as to maximise the use of SUDs and contribute towards biodiversity conservation and enhancement. All new homes must be within easy walking distance of the public open space. The open space must include a LEAP on that part of the site to the west of Chudleigh Road and a NEAP (incorporating a MUGA) on that part of the site to the east of Chudleigh Road. Management arrangements for the LEAP and NEAP must be included in any development proposals.

An area of 0.11 ha is required as a local centre, comprising a site of 0.1 ha for the future provision of a health centre/doctor's surgery, together with a community recycling facility to be provided and equipped by the developer. The local centre should be located adjacent to and on the eastern side of Chudleigh Road.

An Arboricultural Report must be prepared at the pre-application stage and agreed with the City Council. The Report must identify all existing trees and hedgerows to be retained. These must be incorporated into a landscape and green infrastructure framework for the new development, which must also include additional planting of trees and shrubs of species that are appropriate to the area. In particular, additional tree planting will be required along all road frontages and the southern / south-eastern boundaries of the site, in order to partly screen and buffer the development. Subject to the conclusions of the Arboricultural Report, trees within the site may be made the subject of a Tree Preservation Order.

Development must provide for a net gain in biodiversity at the site. An ecology survey must be carried out by the developers at the pre-application stage, in order to establish the current ecological value of the site. Development must avoid damage to features of ecological value, mitigate any direct impacts and finally offset any unavoidable residual impacts.

*The site must be developed as a place which encourages residents to walk, cycle or use public transport or a car club as an alternative to the private car.*

Development of the site will generate additional traffic. So that the existing highways network can accommodate this traffic, new residents must be encouraged to access jobs and facilities on foot, bicycle or public transport wherever possible. Accordingly:

The developer must prepare a Travel Plan and an Air Quality Management Assessment (AQMA) at the pre-application stage. These must be agreed with the local planning authority. The AQMA must consider any increased loading on Exeter's Air Quality Management Area.

The following three off-site projects Village Public Realm Enhancement Scheme, Loram Way Cycle Link and Upgrade of/Extension to the A Bus Service are necessary to the sustainable development of the site. The developer will be required to pay a financial contribution totalling £1,290,000 towards these three projects. The contribution will be secured by means of a Section 106 Agreement.

The developer will be required to pay a financial contribution towards establishing a Car Club at the site, to help minimise traffic generated by any development. The total financial contribution will depend on the number of dwellings proposed and will be calculated in

accordance with the City Council's Sustainable Transport SPD. The contribution will be secured by means of a S106 Agreement.

The developer will be required to fund the provision of a high quality pedestrian and cycle route along the site's southern boundary, including Markham Lane, via a Section 106 Agreement. Any new homes built along the southern boundary must be oriented to face the route, so as to promote safety through natural surveillance.

All dwellings should include secure cycle parking in accordance with section 5.2 and Table 2 of the City Council's Sustainable Transport SPD. Developers are encouraged to include charging facilities for electric vehicles. As a minimum, ducting and the potential for easy connection to the electricity network should be provided in accordance with section 6.5 of the SPD.

Motor vehicle access into/out of the site must only be taken from Shillingford Road, Chudleigh Road and Dawlish Road.

Any planning permission for development at the site will be conditioned to require the submission of a Construction Traffic Management Plan. The Plan must include appropriate routing of heavy vehicles to and from the site via the A379, together with the provision of temporary yellow signs advertising the appropriate routes.

Connected to the development of the site and wider urban extension, the City Council will also continue to explore, alongside Devon County Highways, the potential for the provision of a safe walking and cycle route along Chudleigh Road.

*The site must be developed as a place which uses low and zero carbon energy and makes efficient use of natural and local resources.*

A Decentralised Energy Network providing low carbon heat to developments in this area (through a low temperature hot water district heating network) is viable and feasible. Therefore, development must be designed so that the internal systems for space and water heating are capable of being connected to such a network and the necessary on site infrastructure shall be put in place for connection of those systems to the network. If this is shown to be unviable or unfeasible for any individual development, then alternative solutions that would result in the same or better carbon emissions reduction must be implemented.

The development must make efficient use of natural resources, locally sourced and recycled wherever possible, and minimise construction waste and water use.

The development must achieve high standards of fabric energy efficiency, reduce energy demand, incorporate low carbon energy technologies and reduce carbon emissions from heat and power generation.

**South West Exeter Masterplan 2012**  
**Affordable Housing SPD**  
**Planning Obligations SPD**  
**Sustainable Transport SPD March 2013**  
**Residential Design SPD September 2010**

## **OBSERVATIONS**

### **Principle of Development**

The application sites for Alphin Farm East (15/0640/FUL) and Alphin Farm West (15/0641/FUL) are contained within the Alphington strategic housing allocation identified in the Exeter Core Strategy 2012 as part of an urban extension to the south west of the city for

around 2,500 dwellings, which would include the dwellings within the city boundary and approximately 2000 dwellings in the Teignbridge area. Policy CP19 of the Exeter City Core Strategy designates both sites within its strategic residential site allocation for around 500 dwellings. These applications together propose 350 dwellings (for the eastern site up to 234 and western site up to 116 dwellings) and will form part of what in future will be South West Exeter urban extension. Further confirmation of the site's intended use for residential development are contained within South West Masterplan 2012 and the Development Brief for South West Alphington 2014. Consequently the site's use for residential development is wholly appropriate and as stated within the National Planning Policy Framework 'the presumption in favour of sustainable development paragraph 11 *'...this means approving development proposals that accord with an up-to-date development plan without delay...'*.

Whilst the principle of residential development for the sites are appropriate, the details contained within the submitted application require specific consideration in respect of the access arrangements, which are not a reserved matter and the proposal's compliance with development plan policies and other material planning considerations. In particular, the South West Alphington Development Brief represents a material planning consideration which has been subject to public consultation and adoption. Accordingly this document carries significant weight and therefore is an important consideration in the assessment of these applications. The Alphington Forum have raised concern that the Brief has been given insufficient weight within the submitted planning applications. Whilst it is accepted that the submitted Planning, Design and Access Statement is limited in content the overall submission contains detailed and recently updated documents which covers relevant issues such as transport, ecology, landscape, flooding, archaeology, bat and dormouse surveys, air quality and contamination. Consequently it is considered that the applications contain sufficient information to be assessed and a determination made. However given the importance of the Alphington Development Brief further consideration of this document's objectives relevant to these applications will be assessed later in the report.

### **Access and Transport Issues**

The outline applications propose all matters to be reserved except for access and therefore this needs specific attention. The Core Strategy's allocation of these sites for housing means that at a strategic level they have been deemed appropriate to accommodate the additional transport movements residential development of this scale would generate. The submitted plans detail the position of the access, visibility splays and proposed footway in respect of Chudleigh Road, Dawlish Road and Shillingford Road. The plan also includes an access from Chudleigh Road into the western site for indicative purposes only, as this does not form part of proposed application site but does show the complete future access arrangement for both the Alphington sites. In addition, the plan shows an indicative internal estate road layout but this is again for illustrative purposes only as the detailed housing and internal road layout is not known at this stage. This plan indicates a loop around land for the western side, which is not included in the application site but anticipated to come forward at a later date. The absence of a second vehicular access onto Chudleigh Road for the Alden Farm west site does not however preclude the development from being developed. The County Highway Authority has raised no objection to the proposed vehicular accesses and therefore are considered appropriate. The Highway Authority has recommended the imposition of a condition for each site to ensure compliance with the details of the vehicular access, visibility splays and pedestrian and cycle facilities proposed prior to occupation. In addition, specific conditions are proposed for bus routes to be provided prior to a certain number of units being occupied. Specific details are contained within the details attached to the end of this report.

The submitted access plan indicates a potential bus connection zone across Markham Lane from the western site into the Teignbridge area, which has been granted outline planning permission to Bovis Homes for residential development. The Alphington Forum have raised

serious concerns about this aspect of the proposal, which will be contrary to the Alphington Development Brief as it will cut across Markham Lane specifically highlighted as being for pedestrians and cyclists only. In terms of background, a bus link was not envisaged at the time of the Brief's adoption as the area on the other side of Markham Lane was originally designated for educational purposes. However the County Education Authority are now promoting an all through school (for primary and secondary pupils) on the eastern side of the A379 to be accessed via a new pedestrian/cycle bridge. This former proposed education campus is now proposed for housing as part of the Bovis scheme. Consequently this new bus connection link is considered acceptable by the Highway Authority and given there is no vehicular link within this application between Shillington Road and Chudleigh Road the link does have merit in transport terms. However it is accepted that the creation of a bus link across Markham Lane will have an environment impact for Markham Lane which was to be car free. Whilst the crossing could be sensitively design and would improve public transport accessibility for the area, it is considered that in the absence of detailed layouts for the Alden Farm East and the Bovis scheme further investigation into the appropriateness of this bus link is warranted. Accordingly it is considered that a condition should be imposed in the form of an Access and Movement Strategy which enables the issue to be clarified following receipt of all the detailed layouts. However it is acknowledged that the bus link across Markham Lane may ultimately be the most appropriate approach.

Clearly the development of the Exeter sites for residential development cannot be considered in isolation from the major development being undertaken in the Teignbridge district. Consequently the Devon County Highway Authority has considered the highways and the associated infrastructure requirements in the context of this wider development allocation. The infrastructure planning approach adopted seeks to ensure that all development within the proposed Alphington allocation, and 2,000 dwellings in Teignbridge, contributes proportionally to the full package of infrastructure requirements necessary to make the development acceptable in planning terms. The financial contributions secured from either the Section 106 agreements or CIL will assist in ensuring that the necessary infrastructure can be delivered effectively. In particular, major highway improvements are required to the Chudleigh Road/A379 junction to accommodate the increased traffic for the South West area and a new pedestrian/cycleway bridge across the A379 to access the new school, local centre and open space. The Highway Authority has requested that a financial contribution is made from each dwelling built towards these highway improvements. Details of the financial contributions required are stated at the end of this report.

In addition to the major highway works to serve these developments further improvements are necessary to meet the sustainable objectives of the Alphington Development Brief which intends '*... new residents to access jobs and facilities on foot, bicycle or public transport wherever possible...*'. In particular the Brief requires financial contributions towards public realm enhancements to promote improved pedestrian and cycle access through the existing Alphington village; a Loram Way link to provide a cycle link between the sites and the Marsh Barton industrial estate; an upgrade/extension of bus services in the area and a contribution towards establishing a car club. All these matters are addressed through a financial contribution per dwelling at rate which accords with the Alphington Brief and will be included in a Section 106 agreement. The part of the strategic site situated alongside Chudleigh Road and located within the western site not included within this application will also be required to contribute at the same rate. Details of the financial contributions required are stated at the end of this report.

It is accepted that the proposed new railway halt at Marsh Barton would help to improve the public transport options for existing residents living in Alphington and those within the development site and reduce the reliance on the private car travel. However although the new railway halt has been delayed, the proposed developments are not dependent on its construction for the sites to be acceptable in transport terms. Whilst the original comments

from the Highway Authority was made in 2015 further opportunity was given to amend its comments if considered necessary. The Highway Authority have confirmed that their comments on these schemes remain unchanged. It is noted that the various transport and air quality assessments have been recently updated.

### **Need for an Environmental Impact Assessment**

Some residents have expressed concern that the application was not accompanied by an Environment Statement in accordance with Environment Impact Assessment (EIA) regulations. The local planning authority has provided a screening opinion that concludes that an EIA in this instance is not required. Whilst the proposal requires significant supporting documentation, which has been provided, to make an appropriate assessment in the context of this planning application, it is important to note that the site has been identified for development in the Exeter Core Strategy. In addition, Members are advised that the Planning Practice Guidance 'Environmental Impact Assessment' states that 'only a very small proportion of Schedule 2 development (which this development falls within) will require an assessment...'. The Guidance goes on to state that it is for the local planning authority to consider whether a proposed development requires an Environmental Impact Assessment.

### **Affordable Housing**

Core Strategy Policy CP7 and the Affordable Housing SPD requires 35% of the total number of units on sites to be for affordable housing. The applicant initially considered their affordable housing provision should be 10% in line with that agreed by Teignbridge District Council within the outline planning application submitted by Bovis Homes. This was not considered to be acceptable as it would clearly fall well below the Exeter development plan policy requirement. This difference in opinion regarding the provision of affordable housing explains the reason for the delay in the submission of the applications in 2015 to its presentation to committee in 2018. Following the submission of viability information and subsequent discussions with the applicant it was agreed that it would be viable for both developments to provide 30% affordable housing. This would equate to approximately 70 units on the eastern site (ref 15/0640/OUT) based on 234 dwellings and 34 units based on 116 dwelling on the western side (ref 15/0641/OUT). Whilst the number of dwellings is not fixed and will be subject to issues such as proposed layout, design and retention of landscape features it does provide an indication of the number of affordable units the sites could generate. The housing officer has requested that 70% of the affordable units are to be social rent and the remainder to be intermediate affordable housing. In addition, the affordable dwellings are to be delivered in a mix of house types informed by context, local housing need and an up to date Housing Market Assessment in compliance with Core Strategy Policy CP5 at the time of the reserved matters application. The reserved matters application would also have to contain 5% wheelchair accessible units and a distribution of the affordable housing throughout the site. The viability reports have confirmed that a 30% affordable housing for both development can be achieved and this will be secured within the Section 106 Agreement.

### **District Heating**

Core Strategy Policy CP13, which is supported by NPPF paragraph 153a, requires that major developments will be required to connect to any existing or proposed Decentralised Energy Network in the locality to bring forward low or zero carbon energy distribution. Core Strategy Policy CP19 designates this area as a Strategic Allocation and identifies infrastructure to support it including low and zero carbon infrastructure. The creation of Heat Network is a central plank of the current UK Government Heat Strategy. The Energy from Waste (EfW) plant at Marsh Barton was constructed with the ability to supply heat to buildings in this area. It is currently operational but only exporting electricity. Technical feasibility by WSP Parson Brinkerhoff in work has detailed the means by which heat can be supplied to the application sites and there have been expressions of commercial interest in

delivering and operating such a network. This commercial interest is on the basis of the delivery of dwellings which are the subject of this consent.

The connection of this development to a District Heating Network, even if it powered by a gas burning combined heat and power engine, would mean that they meet the carbon emissions rate abatements required by Core Strategy Policy CP15. By connecting that network to the EfW plant very significant carbon emissions rate abatement would be achieved. This because using heat energy from the EfW plant means that greater efficiency of that plant is achieved, as the EfW plant is 5 times more efficient in generating heat energy than electrical energy.

It is therefore recommended that conditions and clauses within the S106 are attached to this consent to require connection to the District Heating network unless it can be shown, prior to the commencement of construction of any phase of the development, that to do so would not be viable or feasible or would unreasonably delay construction of that phase.

### **Landscape/Ecological Issues**

Given the proposed change of use for the land from existing pasture and arable to residential development it is inevitable that the landscape and ecological character of the area will irreversibly change. As previously stated both sites have been identified as strategic housing sites in the adopted Core Strategy and therefore this change to the landscape character has already been accepted. The application have been accompanied by a Landscape and Visual Assessment (updated March 2018) and Ecological Appraisal/Mitigation and Enhancement Strategy (updated October 2018) which provides an assessment in broad terms of the developments' impact on the area in the short and long term. The ecological assessment concludes that the impact of housing development would be limited given the existence of existing pasture and arable land. However the internal and boundary hedgerows and trees do provide significant landscape value and ecological habitat for birds and foraging areas for bats and therefore should be safeguarded where appropriate. As the application is for outline planning permission no details are provide of the internal road layout or residential layout and therefore the precise relationship of any buildings or roads to existing landscape features is not known. Consequently it is considered appropriate to impose conditions on both application for a Landscape and Ecological Management Plan to ensure that the important environmental features of the sites are safeguarded and enhanced. Whilst the majority of the internal hedgerows will be lost to ensure the most efficient use of the site for housing development, it is anticipated that the important trees and hedgerow along the boundaries of the site should be retained and supplemented where appropriate, except where there is a need to remove hedgerow to achieve vehicular access and visibility splays into the sites.

### **Habitat Mitigation**

The ecological appraisal did not determine the impact the development would have on the additional recreational use on the Exe Estuary Special Protection Area and the Dawlish Warren Special Area of Conservation. The Council has undertaken an Appropriate Assessment for both sites which concludes that, whilst the development has the potential to have a significant effect on these European Sites, and an adverse impact on the achievement of the conservation objectives for the sites, the impacts of the development can be mitigated through receipts from Community Infrastructure Levy to contribute towards the implementation of measure in the South East Devon European Site Mitigation Strategy, which are designed to avoid and mitigate the adverse impacts of increased visitor pressure brought about through population growth.

At the March 2017 meeting, the South East Devon Habitats Regulations Executive Committee agreed on the provision of four strategic Suitable Alternative Natural Green Spaces (SANGS). Natural England confirmed that the SANGS options as proposed would be delivering the Mitigation Strategy. One of the four SANGS will be delivered at South West Exeter. These SANGS will mitigate the impacts of development within the City, including at Aldens Farm.

Habitats mitigation partner authorities are currently progressing implementation of this SANGS. Some of the CIL receipts from the Aldens Farm development (and other developments across the City) will contribute to funding the SANGS provision. The Government will be providing financial assistance with implementation of the SANGS at South West Exeter through a Housing Infrastructure Fund award. There is consequently no requirement for onsite SANGS at Aldens Farm. It is reasonable to assume that the SANGS at South West Exeter will be 'user ready'/delivered ahead of the occupation of dwellings at Aldens Farm.

### **Protected Species**

The need for the protection of endangered species is the responsibility of the local planning authority under the Habitats Directive and the presence of a protected species represents a material consideration. In addition to the ecological appraisal specific surveys for dormice and bats including mitigation measures where appropriate have been undertaken. The application is accompanied by a bat mitigation strategy, which seeks to maintain the boundary hedgerows, provide a wildflower species grass buffer two metres from the identified hedgerows for retention and the submission of a lighting strategy to address the potential for light spillage during the construction period and post completion of the developments for both sites. Devon Wildlife Trust have highlighted the presence of a particularly rare species of bat (barbastelle) and the care required to ensure that any proposed lighting does not adversely affect their foraging needs. It is therefore considered that a planning condition which provides suitable mitigation for all bat species as provided by Acorn Ecology is imposed on the permission. Whilst the dormice survey was carried in 2012 and again in 2017 records show their presence over 85 metres to the south of the western site. However given the dormouse population in the area it is considered that a condition should be attached to ensure that hibernation nest and habitat are not affected during construction period and completion in line with the EPS Ecology report through the imposition of a condition.

### **Alphington Development Brief**

As previously stated the Development Brief for the South West Alphington represents an important material consideration. This report has highlighted that the transport issues which seek to encourage residents to walk, cycle or use public transport including a car club, travel planning will meet the requirements as stated in the brief through financial contributions in the Section 106 agreement. The contentious issue of the bus access across Markham Lane has been discussed and it considered that a condition requiring an Access and Movement Strategy will enable this issue to be looked at again when the detailed layouts are available. The application is accompanied by an air quality assessment which is considered acceptable as submitted by the environmental health officer but a further condition to ensure up to date information is proposed. In addition, a condition is proposed to address the need for Construction and Environmental Traffic Management Plan as required by the Brief. Further conditions are proposed requiring a Design Code to address matters of principle in respect of layout and in particular building heights in the vicinity of the Markham Lane ridge, housing densities, open space and children's play area provision as required by the Brief. However it should be noted that the Brief will still relevant and represents a material consideration when future detailed reserved matter applications are submitted. In addition, the landscape and ecological issues associated with the site have been highlighted in the accompanying specialist reports and will be mitigation and enhancement measures will be addressed by specific conditions.

The Brief requires a local centre comprising a site of 0.1 ha for the provision of a health centre/doctor's surgery together with a community recycling facility on the eastern side of Chudleigh Road. The submitted application indicates no such facility which seeks to develop the whole of the site for residential development. Whilst this is disappointing, it is considered that the number of dwellings proposed for the combined sites within the Alphington area

would be unlikely to support a facility of this nature as the scale of development within the Teignbridge District would be more favourable in locational terms for this type of facility. Indeed the Teignbridge decision includes an obligation to provide retail and community uses. Members will be aware of similar site allocation approach taken for community facilities in the Newcourt area which has remained vacant for over 10 years with little prospect of being developed for this purpose. However if Members consider that this area requires safeguarding as a local centre then it would need to be addressed within the legal agreement, although this approach is not recommended by your officers.

It is important to note that whilst the Alphington Development Brief represents an important material planning consideration in the assessment of these applications, it needs to be balanced against other material considerations which will sometimes take precedence. However it is considered that the overall objectives of the Brief have been met through the conditions and requirements of the Section 106 Agreement, which will deliver significant financial contribution to public realm and sustainable transport improvement for Alphington.

### **Other issues**

Devon County Council as the Education Authority are currently progressing proposal for an all-through school to be located in the Teignbridge District, which will serve the educational needs of the all South West Exeter developments.

### **Conclusion**

Both sites are designated in the Core Strategy as being appropriate for residential development. In time the site will form part of the South West Exeter urban expansion totalling 2,500 dwelling between Exeter and the Teignbridge district. It is accepted that the information submitted to demonstrate the form of the development is limited. This is to certain extent understandable given that both applications are for outline with all matters reserved except for access. However, importantly the application is accompanied by detailed specialist report which addresses the fundamental issues relating to these sites such transport impact, air quality, landscape, ecology and the safeguarding protected species. Consequently it is considered that suitable conditions will be appropriate to address matters of details which will inform the future detailed residential layout, green space and landscape enhancement particularly around the perimeters of the site. In addition, these conditions will ensure that the objectives of the Alphington Development Brief are largely addressed and as stated above will deliver significant financial contributions to the public realm and sustainable transport objectives for Alphington.

The Section 106 agreement will ensure the highway infrastructure namely the improvements to the Chudleigh Road/A379 junction and pedestrian/cycle footbridge is provided which are considered necessary for the South West Alphington development both with Exeter and Teignbridge. In addition, the agreement will ensure a 30% affordable housing provision and the district heating for both development sites. Whilst the reserved matters application will require careful attention to ensure an appropriate layout and design for this area, it is considered that the combination of the proposed conditions and Section 106 agreement will ultimately result in a sympathetic development for allocated housing site.

### **Community Infrastructure Levy**

Any residential development at the site will be liable for the payment of Community Infrastructure Levy (CIL). The current rate for 2018 is £111.79 per square metre (gross internal floorspace) however as the Section 106 agreement is unlikely to be finalised before the end of this year this rate will increase as the 2019 rate will then apply. In addition, the development will generate New Homes Bonus receipts to be determined in accordance with current rates.

### **Section 106 Agreement requirements.**

Affordable housing contribution of 30%;  
District heating connection;

Pedestrian/cycle bridge contribution of £1,104 per dwelling;  
Chudleigh Road/A379 improvements works contribution of £3,798 per dwelling;  
Alphington Public Realm Works contribution of £1,100 per dwelling;  
Loram Way Cycle link contribution of £375 per dwelling;  
Bus Service upgrade/extension contribution of £1,750 per dwelling;  
Car Club contribution of £132 per dwelling;  
Travel planning contribution £500 per dwelling;  
Traffic Regulation Orders of £5,000 for each application.

## **RECOMMENDATION**

**APPROVE** subject to the completion of a Section 106 agreement in respect of affordable housing; district heating; financial contribution to highway and public realm improvements and following agreement with the applicant in respect of the pre-commencement conditions subject to the following conditions :-

1. Approval of the details of the layout, scale, appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

**Reason:** To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of the permission and the development hereby permitted shall be begun before the expiration of five years from the date of the permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved whichever is the later.

**Reason:** To ensure compliance with section 91 - 93 of the Town and Country Planning Act 1990.

3. In respect of those matters not reserved for later approval the development hereby permitted shall be carried out in accordance with the proposed access scheme shown on drawing no. 140 273 PHL-001 rev D.

**Reason:** To ensure that an appropriate vehicular access is provided to serve the development.

4. 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 building(s) 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:** In the interests of the amenity of the occupants of the building(s) hereby approved.

5. Pre-commencement condition: No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.

7. Pre-commencement condition: No development shall take place until a Waste Audit Statement for waste arising from the development has been submitted to and agreed in writing by the Local Planning Authority. The statement shall include:

- a) methods to reduce the amount of waste material
- b) methods to re-use the waste within the development
- c) methods for the reprocessing and/or final disposal of excavated materials, including locations (which should hold appropriate planning permission, Environment Agency licences and exemptions) where such activities will take place
- d) estimated quantities of excavated/demolition materials arising from the site
- e) evidence that all alternative methods of waste disposal have been considered
- f) evidence that the distance travelled when transporting waste material to its final disposal point has been kept to a minimum.

**Reason:** The development shall be carried out in accordance with the approved statement.

8. Pre-commencement condition: Prior to the commencement of development a Landscape and Ecological Management Plan, to include a lighting strategy, as recommended by the Ecological Mitigation and Enhancement Strategy dated October 2018 produced by Sunflower Ecological Consultancy which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife, together with a programme of implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and maintained in accordance with the approved Plan and programme of implementation.

**Reason:** In the interests of securing a comprehensive approach to the preservation and enhancement of the landscape and ecological interest of the site

9. Pre-commencement condition: No development (including ground works) or vegetation clearance work shall take place until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority including:

- (a) the timetable of the works;
- (b) daily hours of construction;
- (c) any road closure;
- (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inclusive: 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;
- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works; and
- (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- (k) details of wheel washing facilities and obligations
- (l) the proposed route of all construction traffic exceeding 7.5 tonnes.
- (m) details of the amount and location of construction worker parking.
- (n) photographic evidence of the condition of adjacent public highway prior to commencement of any work.

**Reason:** To minimise the environmental impacts of the construction process for local residents and in the interests of amenity.

10. Pre-commencement condition: No part of the development hereby permitted shall be commenced until a detailed permanent surface water drainage management plan is submitted to, and approved in writing by, the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority. This detailed permanent surface water drainage management plan will be in accordance with the principles of sustainable drainage systems, and those set out in the Flood Risk Assessment (Report Ref. 12017/FRA1 West, Revision B, Dated November 2015).

**Reason:** To ensure that surface water from the development is managed in accordance with the principles of sustainable drainage systems.

11. Pre-commencement condition: No part of the development hereby permitted shall be commenced until a detailed surface water drainage management plan for the full period of the development's construction, has been submitted to, and approved in writing by, the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system shall then be constructed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority, and shall thereafter be so maintained.

**Reason:** To ensure that surface water from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

12. Pre-commencement condition: No development shall take place until an air quality assessment has been carried out in accordance with a programme and methodology to be agreed in writing by the local planning authority and the results, together with any mitigation measures necessary, have been agreed in writing by the local planning authority. The development shall not be occupied until the approved mitigation measures have implemented.

**Reason:** In the interests of residential amenity.

13. Pre-commencement condition: No development shall take place until an noise quality assessment has been carried out in accordance with a programme and methodology to be agreed in writing by the local planning authority and the results, together with any mitigation measures necessary, have been agreed in writing by the local planning authority. The development shall not be occupied until the approved mitigation measures have implemented.

**Reason:** In the interests of residential amenity.

14. Pre-commencement condition: No development shall commence until details of the open space provision (to be not less than 10% of the total site area and excluding hedgerow and associated buffer area) and children's play equipment has been submitted to and approved in writing by the local planning authority and thereafter installed to an agreed timescale and maintained in accordance with the agreed details.

**Reason:** In the interests of residential amenity

15. Before the submission of the first application for approved reserved matters a Design Guide and Framework Plan including design and materials palette, maximum building heights/storeys and housing density throughout the site has been submitted to and approved in writing by the local planning authority. Submissions for approval of reserved matters shall be in accordance with the approved strategy.

**Reason:** To ensure a coordinated approach to urban design within the development and to accord with the Residential Design SPD dated September 2010 and South West Alphonston Development Brief dated June 2014.

16. Notwithstanding Condition 3 before the submission of the first application for approved reserved matters an Access and Movement Strategy to include indicative pedestrian, cycle and bus routes connecting the development to its surroundings has been submitted to and approved in writing by the local planning authority. Submissions for approval of reserved matters shall be in accordance with the approved strategy.

**Reason:** To ensure a coordinated approach to sustainable transport in the area.

17. Any trees and hedges on or around the site shall not be felled, lopped, or removed without the prior written consent of 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.

18. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the tree protection plans submitted as part of the Arboricultural Survey produced by Advance Arboriculture dated August 2017 before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.

**Reason:** 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.

19. Prior to occupation of the development hereby approved details of provision for nesting birds shall be submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

**Reason:** In the interests of preservation and enhancement of biodiversity in the locality.

20. The development shall accord with the recommended mitigation measures as stated within the Ecological Mitigation and Enhancement Strategy for bat species dated October 2018 produced by Acorn Ecology unless otherwise agreed in writing by the local planning authority.

**Reason:** To protect and enhance the existing habitat in relation to the area's bat population.

21. The development shall accord with the recommended mitigation measures as stated within the dormouse mitigation method statement dated December 2012 and reaffirmed in November 2017 produced by EPS Ecology unless otherwise agreed in writing by the local planning authority.

**Reason:** To protect and enhance the existing habitat in relation to the area's dormouse population.

22. Unless it is agreed in writing by the local planning authority prior to commencement that it is not viable or feasible to do so, the habitable buildings comprised in the development hereby approved shall be constructed in accordance with the CIBSE Heat Networks Code of Practice so that their internal systems for space and water heating are capable of being connected to the proposed low temperature hot water decentralised energy district heating network. Space shall be provided for the necessary on-site infrastructure (including pipework, plant and machinery) for connection of those systems to the network at points at the application site boundary, as agreed in writing by the local planning authority.

**Reason:** To ensure that the proposal complies with Policy CP13 of Councils Adopted Core Strategy and paragraph 153 of the NPPF and in the interests of delivering sustainable development.

23. Any individual dwelling hereby approved shall achieve Code for Sustainable Homes (CSH) Level 4 in respect of Energy and CO2 Emissions including a 44% CO2 emissions rate reduction from Building Regulations Part L 2006 as a minimum, in accordance with the requirements of the Code for Sustainable Homes 2006, the Code for Sustainable Homes Technical Guide November 2010 and the Code Addendum May 2014 or such equivalent standard that maybe approved in writing by the Local Planning Authority.

**Reason:** In the interests of sustainable development and in accordance with Exeter Core Strategy Policy CP15

24. No occupations shall take place until a primary school site has been secured by the Education Authority, or alternative appropriate primary school and early year provision secured.

**Reason:** To ensure that appropriate primary school places can be provided to meet the needs of the development.

**For Eastern side (15/0640/01)**

25. No part of the eastern site (15/0640/01) shall be occupied until a vehicular access onto either Dawlish Road or Chudleigh Road and the associated visibility splays and pedestrian and cycle facilities with that access, as indicated in drawing PHL-01 Revision D have been completed with details that shall have been submitted to, and approved in writing by, the Local Planning Authority.

**Reason:** To ensure that safe and suitable access is provided for all users in accordance with paragraph 32 of the NPPF.

26. No more than 150 dwellings shall be occupied until a vehicular route from Chudleigh Road to Dawlish Road capable of accommodating two way bus flow through the site; the pedestrian connections in the Eastern portion as indicated in drawing PHL-01 Revision D have been provided to a specification agreed in writing with the Local Planning Authority (in consultation with the Highway Authority).

**Reason:** To ensure the site is served by sustainable transport modes required to meet the agreed residential trip rates.

**For Western side (15/0641/01)**

25. No part of the development shall be occupied until the access, visibility splays and pedestrian and cycle facilities, as indicated in drawing PHL-01 Revision D have been completed with details that shall have been submitted to, and approved in writing by, the Local Planning Authority.

**Reason:** To ensure that safe and suitable access is provided for all users in accordance with paragraph 32 of the NPPF.

26. No more than 75 dwellings shall be occupied until a bus and pedestrian connections are provided as indicated in drawing PHL-01 Revision D have been provided to a specification agreed in writing with the Local Planning Authority (in consultation with the Highway Authority).

**Reason:** To ensure the site is served by sustainable transport modes required to meet the agreed residential trip rates.

**Notes to Applicant:**

1. A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.
2. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

3. The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid Commencement Notice (ie; where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see [www.exeter.gov.uk/cil](http://www.exeter.gov.uk/cil).
4. In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Areas (SPA), the Exe Estuary, which are designated European sites. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with recreational activity of future occupants of the development. This impact will be mitigated in line with the South East Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the Community Infrastructure Levy (CIL) collected in respect of the development being allocated to funding the mitigation strategy.

*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*