

OFFICER'S REPORT AND RECOMMENDATION (19/1712/RES)

<u>APPLICATION NO:</u>	19/1712/RES
<u>APPLICANT:</u>	LiveWest Homes
<u>LOCATION:</u>	Former Exwick Middle School, Exwick Hill
<u>PROPOSAL:</u>	Construction of 43 dwellings with associated gardens, parking and landscaping with vehicular access from Gloucester Road via Higher Exwick Hill. (Approval of Reserved Matters of access, appearance, landscaping, layout and scale pursuant to planning permission reference 17/1788/OUT granted on 7 January 2019.
<u>REGISTRATION DATE:</u>	5 th December 2019
<u>RELATED DOCUMENTS:</u>	http://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q21R7UHBMOP00

HISTORY OF SITE

Outline planning permission ([17/1788/OUT](#)) was granted consent on 7 January 2019 for the principle of residential development of the site with vehicular access from Gloucester Road via the upper part of Higher Exwick Hill, effectively re-using an existing vehicular access point to serve the proposed residential development. Although the original submission proposed access to be determined as part of the outline application this was subsequently amended during the course of the application. Consequently all matters namely access, scale, layout, appearance and landscaping of the site were reserved for subsequent approval.

This outline application was granted subject to planning conditions and a Section 106 agreement which is summarised below:

Planning conditions imposed

- 1) Approval of the reserved matters shall be made before the expiration of three years from the date of this permission.
- 2) Pre-commencement condition: Details of the appearance, landscaping, layout, and scale, (hereinafter called the reserved matters) shall be submitted.
- 3) No construction activities associated with the development hereby approved (other than than the formation of the access itself) shall take place on the application site until a safe and suitable vehicular and pedestrian access to the site from Gloucester Road via Higher Exwick Hill has been provided and made available.
- 4) Pre-commencement condition: No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained.

- 5) Pre-commencement condition: A Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority and adhered to during the construction period.
- 6) Pre-commencement condition: An Air Quality Impact Assessment incorporating proposed mitigation measures to minimise the air quality impacts of the development shall be submitted.
- 7) Pre-commencement condition: Details of the proposed finished floor levels and overall ridge heights of all dwellings and the final levels of all roads forming part of the development.
- 8) Pre-commencement condition: Adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials.
- 9) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted.
- 10) In the event of failure of any trees or shrubs, planted in accordance with any scheme, such trees or shrubs shall be replaced for a period of 5 years.
- 11) Any trees, shrubs and/or hedges on or around the site shall not be felled, lopped or removed without the prior written consent of the Local Planning Authority.
- 12) The development hereby approved shall be carried out in strict accordance with the findings and mitigation measures identified in the submitted Ecological Appraisal by Sunflower International dated July 2016 as updated by the additional report dated 13th March 2018 prepared by Richard Green Ecology Ltd.
- 13) Prior to occupation of any dwelling hereby approved a Wildlife Plan which demonstrates how the proposed development has been designed to enhance the ecological interest of the site, and how it will be managed in perpetuity to enhance wildlife has been submitted.
- 14) If during development contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted and obtained written approval for an amended investigation and risk assessment and, where necessary a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.
- 15) No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted.
- 16) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.
- 17) No part of the development hereby approved shall be brought into its intended use until further details of pedestrian/cycle linkages/facilities from the site boundary to the existing highway network have been submitted.
- 18) Prior to the construction of any retaining wall within 5m of public highway, a detailed Approval in Principle for that section of retaining wall shall be submitted.
- 19) The development shall be implemented in accordance with the submitted Flood Risk Assessment and Drainage Strategy.

Section 106 agreement stated that -

- 35% of the total number of units shall be made affordable with a tenure split 70/30 social rented/intermediate, and 5% of affordable units as wheelchair accessible housing built in accordance with the Council's Wheelchair Accessible Housing Design Standards;
- Traffic Regulation Order contribution of £5000;
- Travel Plan contribution £500 per dwelling;
- Open space provision, public access and on-going management/maintenance arrangements to be agreed.

DESCRIPTION OF SITE/PROPOSAL

The application site is approximately 1.2 hectares in area. The site is bounded to the north by Higher Exwick Hill and to the east, south and west by residential properties on Palmerston Drive, Knowle Drive and Gloucester Road respectively. Historically the site has had a combined vehicular/pedestrian access from Higher Exwick Hill, a further separate pedestrian only access from Higher Exwick Hill and a pedestrian only access to the south onto a stretch of road leading off Gloucester Road to a block of garages. The site has been cleared of buildings and has been vacant since 2008. Previously it was occupied by Exwick Middle School. There is a significant change in levels from the highest part of the site to the north down to its southern boundary. There are numerous trees distributed across the site, particular in proximity to the site boundary.

The application proposes 43 residential units comprising of 11 one bed units, 22 two bed units and 10 three bed units. The proposed buildings are a combination of two and three storey properties and a mixture of houses and flats. The properties comply with the National Described Space Standards. All properties have access to outside amenity space in the forms of either gardens, terraces or balconies. The supporting information indicates that the proposed buildings will be constructed of brick and tile characteristic of the local area and with the inclusion of pv solar panels on the roof.

Each property has unit has an allocated parking space with the majority of two bedroomed properties and all of the three bedroomed spaces having 2 allocated spaces. A significant number of the spaces are proposed within under-croft parking areas. The total number of car parking space is 71 across the site which include some visitor spaces. Each dwelling has a cycle storage facility and refuse storage, which is mainly located to the front of the property.

The proposed access utilises the existing highway arrangement which served the former school with modification including sections of roads allowing single lane traffic flow with give way areas; pedestrian priority crossings and inclusion of barriers along the cycle/pedestrian Higher Exwick Hill route. In addition, three pedestrian routes have been formalised to the south west onto Gloucester Way; to the east onto Higher Exwick Hill and to the north east and centrally onto Palmerston Drive.

The site contain a significant number of existing trees across the site the majority of which are to be retained. This existing perimeter wooded area will provide the public open space for the site and include the planting of additional trees and the creation of an informal pedestrian only tracks.

The application proposes a total of 16 affordable units (37% of the total) which will include 11 for social rent and 5 for share ownership. Two of these units are indicated to be wheelchair accessible.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting information:

Planning and Design & Access Statement
Site Investigation
Ecological Impact Assessment
Wildlife Plan
Landscape Plan
Arboricultural Impact Assessment
Air Quality Assessment
Statement of Community Involvement
Drainage Strategy
Energy Statement
Affordable Housing Statement
Foul Sewage and Utilities Statement

REPRESENTATIONS

The applicant advises that Head and Chair of Governors of Exwick Heights Primary School has confirmed that they have no objections to the proposed highway S.278 works as now proposed.

38 emails/letters of objection have been received raising the following issues:

1. Overdevelopment/too many houses on the site;
2. Buildings too high;
3. Loss of open space;
4. Loss of trees/impact on wildlife incl badgers, foxes and bats;
5. Area needs to for green space/community use;
6. Will lead to an increase of traffic in the area;
7. Detrimental impact on already overstretched medical services, schools and local shops;
8. Insufficient parking leading to parking congestion;
9. Danger to pedestrians/cyclists particularly children;
10. Children's safety should be top priority;
11. Dangerous access onto Gloucester Road;
12. Need for greater separation between pedestrians and traffic;
13. Problems created from access during school start/finish times;
14. Traffic problems will be increased due to congestion at the train/river crossing;
15. Increased volume of traffic in and out of Exwick;
16. Concern that emergency/refuse vehicles will be unable to access the site;
17. Design of dwellings out of character with the area;
18. Lack of consultation from the applicants;
19. Resultant impact on the environmental, economic and quality of life of existing residents;
20. Increase in anti-social behaviour;
21. Access to the site would be safer from Haytor Drive and Higher Exwick Hill;
22. Inadequate consideration given to privacy between proposed dwellings and existing neighbouring properties;

23. Under-croft parking will be used for storage and potential for conversion to bedrooms in the future;
24. Increased pressure on existing drainage problems in the area;
25. Overpopulation of the area;
26. Need for greater investment in playgrounds and parks not new housing;
27. Loss of outlook;
28. Proposed substation will affect protected trees;
29. Site should be developed for the elderly;
30. Lack of play space within the site;
31. Concern that trees will be removed from private land;
32. Noise levels from substation construction;
33. Construction work will damage existing trees;
34. Boundary fencing will provide inadequate privacy and security for neighbour properties;
35. Area needs to be left open for the good of mental health and well-being;
36. Site more suitable for use as a play area; city garden, allotments or tennis courts.

CONSULTATIONS

County Head of Planning, Transportation and Environment (Highways) comments that the traffic impacts of the development has been accepted at outline. The internal road layout has been progressed in liaison with the Highway Authority and is broadly acceptable. It is pleasing to see that continuous footway paths have provided to serve properties within the site.

Vehicular Access

Although access was initially to be determined at outline stage, there was a condition attached whereby the access arrangements were to be determined at a later date. It was recommended that the access arrangements were revisited when a reserved matters application was determined. The access arrangements have been discussed at length and have evolved from the proposals that were originally submitted at the outline application stage. Of foremost importance was to recognise safety of pedestrians/cyclists (of all ages) that use Higher Exwick Hill to reach Exwick Heights Primary school and the potential conflict with vehicular traffic entering the site. Through discussions, the latest submitted drawings provide suitable a suitable access arrangement.

Vehicular access to the site is proposed using the existing access onto Gloucester Road, which is subject to a 20mph speed limit; the junction meets the visibility required (2.4m x 25m) and is therefore acceptable in principle. The access forms a priority system whereby westbound road user gives way to vehicles travelling eastbound; the submitted drawing indicates that sufficient forward visibility can be achieved so that one vehicle can see another approach, stop and wait to pass.

As mentioned, upon numerous site visits, there was also a lot of footfall from the school utilising Higher Exwick Hill. To provide suitable access, drawing no. 101 rev D shows a raised table at the access road/Gloucester Rd junction and at the access road/Higher Exwick Hill (including a buff colour surface dressing, helping to distinguish there is a pedestrian/cycle desire line), giving pedestrians/cyclists priority over motor vehicles. This drawing also shows vegetation clearance to aid visibility and staggered bollards. However, this drawing should show staggered barriers instead, slowing down the approach of cyclists to the raised table and is conditioned appropriately. The staggered barriers should be spaced 3m apart.

Within the site itself a buildout is proposed shown on drawing no. 110 rev A allowing one vehicle through at a time (a 3m carriageway). This in combination with the above is key to slow both cyclists and vehicles down; by slowing vehicles down, this provides the best opportunity for pedestrians/cyclists/vehicles to see each other and minimise conflict as much as possible. The applicant has also provided tracking diagrams to show that a refuse vehicle can also pass through the various speed calming measures and is shown on drawing no.130 rev B. This is a significant improvement to existing access arrangements.

A road safety audit (RSA) Stage 2 had been completed looking at the original access plans, to which DCC do not agree with some of the designer's responses. However, with all of the changes that have taken place, DCC do accept the access arrangements. The applicant is reminded that an RSA Stage 2 will be required at S278 stage as the detailed scheme has changed. A TRO contribution has been secured in the S106 to advertise the raised crossings and the double yellow lines proposed.

In addition to the primary access point, there are dropped kerb access points serving driveways and parking courts serving pockets of development adjacent to the spur road formed. These are acceptable given the residential nature of the development. The topography of the site is steep and to ensure speeds are kept to a minimum, tight radii on bends have been introduced and another raised table is proposed.

The rest of the vehicular layout is broadly acceptable for a residential development and has been through a number of iterations with the applicant. There are however a few elements of the design which are overly highway focused for residential streets. Options to provide a lower speed environment that better encompasses the manual for streets philosophies should be refined through the Section 38 process.

Pedestrian and Cycling Access/Onsite Facilities

To ensure permeability with adjacent sites and promote pedestrian/cycle accessibility a number of connection points are made. The submitted plans show a stub off Gloucester Road (to the south west of the site – adjacent to plot 30); a connection to the North East onto Higher Exwick Hill (off the private drive) and a connection to the east onto Palmerston Drive (via steps).

Such links will enhance pedestrian/cycling permeability and is necessary to promote sustainability of the site. All three of the connection points link into existing adopted highway and should be conditioned.

It is noted that the footway to the very south of the site is only 1.35m wide and does not meet the recommended guidance given in Manual for Streets given the limited number of dwellings proposed in this section of the site, a 1.35m wide footway cannot be deemed for a reason for refusal.

The onsite layout has enough parking spaces on site together with a number of visitor parking bays. Many of the onsite parking spaces are located immediately outside of the respective properties which should minimise on street parking and is welcomed.

It is not clear if secure covered cycle parking has been provided for all of the dwellings proposed the applicant should provide further detail and the quantum should meet the standard set out in the Sustainable Transport SPD. To complement the good links to cycle routes, a condition is recommended to ensure secure cycle parking is provided.

In summary, safe and suitable access can be achieved for all users. Subject to the below conditions and satisfying the outline S106/conditions, no objection are raised.

Devon County Lead Flood Authority raise no in-principle objections to the above planning application.

The applicant has derived the greenfield runoff rates using a Standard Percentage Runoff (SPR) of 0.45 which deviates from the value of 0.3 used in The previous Land at Former Exwick Middle School, Exeter Flood Risk Assessment & Drainage Strategy Report (Report Ref. WE04300/Exwick/FRA&DS, Rev. V2, dated 22nd November 2016) submitted as part of the Outline Planning Application (Application No. 17/1788/OUT). Due to the relative small size of the proposed development site and also the proposed Hydrobrake size of 62mm to restrict the surface water runoff rate from the site before discharging into South West Water sewer system, it is considered that amending the SPR value will result in a smaller size of Hydrobrake required which is technically unviable and prone to blockage. It is therefore considered that the proposed 62mm orifice to restrict to 2.8l/s is acceptable.

The applicant is proposed to provide an additional 75mm overflow pipe above the critical 1 in 100 years storm event with 40% climate change, in the event that the Hydrobrake is blocked. The detailed design of the proposed permanent surface water drainage management system, including the MicroDrainage model outputs in accordance with the principles of sustainable drainage systems, and those set out in the Land at Former Exwick Middle School, Exeter , EX4 2EW Flood Risk Assessment (Report Ref. 19006, Rev. C, dated April 2020) shall be submitted in a later stage to fully discharge the condition.

Environmental Health raise no objection given that suitable conditions have been imposed at the outline application stage. In response to the submitted information comment is made in respect of electric charging points, CEMP and contaminated land:-

The submitted report suggests that electric charging points could be included within the development. Environmental Health would strongly support this and would like to see further details of how many will be provided and what sort of chargers will be installed.

The outline consent also includes a CEMP condition. When the applicant comes to submit a CEMP for approval it is expected that the dust control measures within the CEMP to include as a minimum the construction phase mitigation measures listed in the air quality impact assessment. The CEMP will also need to include a plan for quantified dust monitoring at the boundary of the site, to be implemented in the event of substantiated complaints. It would be helpful if the air quality consultant could design such a monitoring scheme, including the type of measurements to be made, location for measurement equipment, trigger levels for further action etc. This would then be available for the developer to use in the CEMP without needing to seek further specialist advice.

A new contaminated land report was submitted with this application. This did not encounter any unexpected contamination that would necessitate remedial works so this condition remains suitable and no further work is required at this stage.

Devon and Somerset Fire and Rescue Service comment that the scheme satisfies the criteria we would require for access under Building Regulations and, therefore raise no objection to this development at this time. However consideration should be given at an early stage for the provision of fire hydrants for the development. The Fire and Rescue Authority is a statutory consultee under the current Building Regulations and will make detailed comments at that time when consulted by building control (or approved inspector).

Police Designing Out Crime Officer comments that there are positive aspects of the design and layout from a designing out crime point of view i.e. on the whole the layout will provide overlooking and active frontages to the new internal streets, there are some clearly

defined public and private spaces, defensible space has been well used and some effective boundary treatments and I note that Section paragraph 127 of the NPPF has been referred to in the Design and Access Statement. However there are aspects of the design which raise concern as they have the potential to contribute to the fear of crime and anti-social behaviour. These concerns relates to the proposed house designs, particularly those incorporating parking facilities which create potential places for concealment and recessed areas which hamper surveillance opportunities and lead to unrestricted access and misuse. Additionally, the cycle and bin storage areas are open and insecure which increases the likelihood of cycle theft, arson and misuse.

The applicant has responded these concerns through the provision of additional lighting within these areas and has commented that the under-house parking is a key element in the overall design approach and cannot be changed without a fundamental redesign.

City Council Refuse Department comment that the scheme is adequate with suitable areas for 2 x wheelies bin shown at each property enabling residents to present their bins at the front of their properties on bin collection day. With regard to the block paving at some of the areas, the refuse vehicles are 26 tonne so residents may need to bring their bin to the edge of the adopted highway to avoid damage and incidents.

RSPB have requested that there should be a 1:1 ratio between the number of bird nest bricks and dwellings on the site. (*The wildlife condition imposed on the outline application will be able to address this issue and the applicant has indicated that they are happy to comply with this request*)

Exeter Cycling Campaign welcome the proposed mixed provision of cycle storage across the development. However comment on the lack of detail about where each type will be installed and how shared use facilities.

A condition is recommended to agree the details of the cycle storage to be provided.

Further comment is made that consideration should be given top how safe cycling can be facilitated by incorporating safe cycle paths alongside or in addition to the suggested walking routes across the complete site. Exeter Cycling Campaign would welcome the opportunity to discuss with the developer how the design could be improved to provide better provision for cycling.

Concern is raised that where Higher Exwick Hill may have been used for cycle access to Gloucester Road the new road and pavement layout will obstruct that provision. Consideration should be given to how that new layout can facilitate safe cycling and maintain a usable route.

The revised highway plans are considered to be an appropriate and safe arrangement for all user including pedestrian, cyclists and vehicles

PLANNING POLICIES/POLICY GUIDANCE

National Planning Policy Framework (NPPF):

4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
11. Conserving and enhancing the natural environment

Exeter Local Development Framework Core Strategy 2012

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

Exeter Local Plan First Review 1995-2011 Saved Policies

AP1 – Design and location of development
AP2 – Sequential approach
H1 – Housing land search sequence
H2 – Housing location priorities
H3 – Housing sites
H7 – Housing for disabled people
T1 – Hierarchy of modes of transport
T2 – Accessibility criteria
T3 – Encouraging use of sustainable modes of transport
T10 – Car parking standards
EN2 – Contaminated land
EN4 – Flood risk
EN5 – Noise
DG1 – Objectives of urban design
DG2 – Energy conservation
DG4 – Residential layout and amenity
DG5 – Provision of open space
DG6 – Vehicle circulation and car parking in residential developments
DG7 – Crime prevention and safety

Development Delivery Development Plan Document (Publication Version):-

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

DD1 - Sustainable Development
DD7 – Allocated Housing Sites
DD9 - Accessibility, Adoptable and Wheelchair User Dwellings
DD13 - Residential Amenity
DD20 - Sustainable Movement
DD21 – Parking
DD22 - Open Space
DD25 - Design Principles
DD26 - Designing Out Crime
DD30 - Green Infrastructure
DD31 - Biodiversity
DD33 - Flood Risk
DD34 - Pollution

Exeter City Council Supplementary Planning Documents
Affordable Housing SPD 2013

Residential Design SPD 2010
Sustainable Transport SPD 2013
Trees and Development SPD 2009

OBSERVATIONS

The principle of residential development on this site was agreed with the granting of outline planning permission in January 2019. The applicant has submitted an application for reserved matters on this site and the nearby former Foxhayes Infant School site and consequently there are similarities in the design approach being taken.

This is a brownfield site within a built up area of the city. It has become surplus to requirements in respect of the previous educational use. The site is surrounded by existing residential development. It is acknowledged that the site poses a numbers of particular site constraints namely the suitability of the previous school access for residential development, the presence of a large number of trees covered by Tree Preservation Orders and the sloping topography. Consequently the proposed scheme presents a less typical housing layout than would normally be the case. Members were made aware of the applicant's potential design approach at a Planning Members Working Group meeting in September last year.

Local resident have expressed serious concern about the safety of the proposed vehicular access located to the north western corner of the site. Whilst this is position of the former school access it is accepted that the nature of the traffic to and from the site will be different for the new residential development than its previous education use. In particular, concern is raised about the access onto Gloucester Road and the potential for increased risk to children walking/cycling towards Exwick Heights School further to the north. In addition, concerns has been raised regarding the potential conflict between the vehicular and pedestrian/cycle route corner at Higher Exwick Hill. Following initial concerns regarding the proposed highway arrangement for this site, the applicant's highway consultants and the County highway officer have had detailed discussion which has result in an acceptable road design. The inclusion of a single lane section with associated signage, pedestrian priority level access, bollards to ensure cyclist dismount along Higher Exwick Hill and reduced road width to slow traffic down has created a highway solution that is appropriate to meet the potential conflicting elements. The County highway officer has therefore raised no objection to the proposed scheme subject to approval of specific drawing and conditions.

The site contains 17 individually TPOs and 11 group TPOs sited around the perimeter of the site. Whilst these provide an important visual screening from existing residential properties and will help to integrate the development in the area, they do significantly reduce the potential developable area of the site. The architect has therefore purposely grouped the properties within the central area of the site to limit the removal of these existing trees. Although some trees will be lost to the south of the site these will be replaced with a greater number in this location and further planting is proposed to the north east of the site. The architect's intention is to create a larger area of public open space around the perimeter of the site and position the dwelling in a more concentrated location centrally. It should therefore be noted that the proposed public open space although representing 45% of the total site area would be achieved beneath trees and in some cases on relatively steep areas of land. In practice the space would be areas to walk through rather than more traditional areas of open grass. Whilst the presence of a significant number of trees within the site has the potential for shading of living spaces this would only be evident in limited areas of the layout. The areas would be managed by the applicants and it is acknowledged that they would be more beneficial for wildlife and ecological value. It is also noted that as the scheme is less than 50 dwellings in policy terms there is no requirement for 10% open space within the site.

The scheme's layout has sought to take account of the steep nature of the site to ensure loss of privacy between the proposed dwellings does not occur. This has resulted in a layout with dwelling positioned closer to one another than would normally be expected. In some instances the distance between dwellings is approximately 6 metres but taking into account the changes in existing ground levels this relationship is considered to be, on balance, acceptable. The main design feature is however the promotion of smaller gardens and the use of balconies and terraces to provide private amenity space. This is consequence of the intended objective of siting the dwellings centrally, to keep away from existing trees whilst maintaining an appropriate density for the site. It is considered that the design approach does address the specific constraints posed by the site and therefore is considered acceptable. The introduction mainly southern facing private outdoor amenity space and upper floor balconies alleviates a potential cramped form of development if these relationships were not properly considered on an individually plot by plot basis. The applicant has highlighted that all properties will have their own entrance rather than shared communal space. It is noted that all the properties conform to national technical house space standards.

Given the presence of a significant number of large trees and the distance away from existing residential properties it is not considered that the siting of the proposed properties will give rise to loss of amenity to these existing residents. Initial concern was raised in respect of Plot 24 and its relationship with Palmerston Drive and therefore further clarification was sought from the architect. Following the receipt of additional plans it is considered that given the changes in levels of all suitable measures have been introduced to prevent loss of privacy to this existing dwelling and therefore is acceptable.

The highway officer has commented that the introduction of three pedestrian/cycles route through the site will improve accessibility and are to be welcomed. In addition, the provision of onsite parking for each resident and associated visitor spaces is considered appropriate in this location. However concern has been raised by the Police's Design out Crime officer regarding the proposed under-croft parking which is a feature throughout the site as it could lead to greater incidents of crime and anti-social behaviour. The applicant's has stated that additional lighting measure will be installed to address these concerns and comment that the under-house parking is fundamental to the design approach adopted for this site. On balance, it is therefore considered that the arrangement as submitted with additional lighting proposed is acceptable.

The original outline planning application required 35% of the site to be affordable housing. The applicant has indicated that out of the 43 units provided 16 will be affordable (37%) and meet the required tenure mix with 11 being social rent and 5 shared ownership which would be policy compliant. In addition, the applicant has indicated that through the careful choice of materials to be used in the construction to improve the energy efficiency of the building and the installation of solar pv panels the scheme would meet Council's policy requirement in terms of sustainability.

In conclusion, it is considered that the scheme represents a carefully designed housing layout and type which seeks to address the various constraints this site presents. The combination of a greater central density in order to safeguard the existing trees and their ecological value is considered appropriate in this instance. The relationship between the proposed dwellings has been logically addressed and the rationale for smaller gardens, terraces and balconies understood. The proposed access has been the subject of detail design work with the applicant's highway consultant and the County highway to create a safe access with particular recognition made to the large concentration of children in this location due to the proximity to Exwick Heights School. Whilst the outline provided the principle of development, the details as submitted are appropriate for this site subject to the conditions

on this original outline and this reserve matters application. The scheme will provide a policy compliant level of affordable housing and be subject to a community infrastructure levy payment.

DELEGATION BRIEFING

28 April 2020 – Members were advised that 38 objections had been received to this application. The decision was therefore taken to report the matter to Planning Committee.

RECOMMENDATION

APPROVE subject to:

1. The development hereby approved must be begun with five years from the date of the grant of outline planning permission, or two years from the final approval of the reserved matters, whichever is the longer.

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

2. The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on ***** 2020 (including dwg. nos.*****) as modified by other conditions of this consent.

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

3. Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.

Reason: To ensure that the materials conform with the visual amenity requirements of the area.

4. Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 or any Order revoking and re-enacting that Order, no extension, garages or other development shall be carried out within the curtilage of the dwellings without the formal consent of the Local Planning Authority.

Reason: In order to protect the visual and residential amenities of the surrounding area and to prevent overdevelopment.

5. No dwelling shall be occupied until full details of the electric charging points have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

6. All conditions imposed on notice of outline approval (ref no.17/1788/OUT) are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.

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

7. Prior to occupation of the development, details shall be submitted to the Local Planning Authority of secure covered cycle parking provision for the development. Development shall not be occupied until such details have been agreed in writing by the Local Planning

Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details.

Reason: To provide adequate facilities for sustainable

8. No part of the development hereby approved shall be brought into its intended use until the access arrangements into the site as indicated on drawing no. 101 rev D have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times
Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108 and 110 of the NPPF

9. Prior to occupation of the development, details shall be submitted to the Local Planning Authority of the staggered barriers on Higher Exwick Hill for the development. Development shall not be occupied until such details have been agreed in writing by the Local Planning Authority, and prior to occupation the staggered barriers shall be provided in accordance with the submitted details.

Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108 and 110 of the NPPF

10. No part of the development hereby approved shall be brought into its intended use until the pedestrian/cycle access arrangements into the site as indicated on drawing no. 110 rev A have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times

Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108 and 110 of the NPPF

INFORMATIVES

1) In accordance with paragraphs 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.

2. A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this 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. A Liability Notice is attached to this permission.

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.