

PLANNING

Date: Monday 27 March 2023
Time: 5.30 pm
Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

Entry to the Civic Centre can be gained through the rear of the Customer Service Centre, Paris Street.

Membership -

Councillors Morse (Chair), Sutton (Deputy Chair), Asvachin, Bennett, Bialyk, Branston, Foale, Hannaford, Jobson, Lights, Mitchell, M, Moore, D, Newby and Snow

Agenda

Part I: Items suggested for discussion with the press and public present

12 **Update Sheet**

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Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 24 April 2023** at 5.30 pm in the Civic Centre.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265107 for further information.

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PLANNING COMMITTEE

27th MARCH 2023

ADDITIONAL INFORMATION

Correspondence received and matters arising following preparation of the Agenda

Item 5 : Planning Application No 22/0537/OUT - St Bridgets Nursery, Old Rydon Lane

Since the publication of the Planning Committee report one additional objection from the public has been received objecting on the following grounds:

- Failure to give weight to the Newcourt Masterplan that adds weight that access from the Ikea roundabout should be used.
- Site does not provide sustainable forms of transport with almost complete reliance on Old Rydon Lane.
- Access for cycle links should not be dealt with at Reserved Matters.
- Transport Note and response from planning agent following the previous committee are not available on the website.

The matters of the Ikea roundabout and use of Old Rydon Lane are considered covered by the existing reports and will not be added to in this section.

In relation to the cycle links, it is considered that a conditional requirement for 2 cycle link points to the north, footway/cycle link to the north-east and associated links to the south is appropriate. This will ensure suitable pedestrian/cycle points and due to the layout of the site not being approved at this stage it is not possible to require any further information on them. At Reserved Matters stage they will be expected to meet national and local requirements to ensure they are suitable for use.

The Transport note and Agent Response have been confirmed as being available on the public website for viewing and have been since their receipt.

Item 6 : Planning Application No 22/1454/RES - Land At Aldens Farm West, Shillingford Road

Since the publication of the Planning Committee report a set of revised plans has been submitted. These were based on advice from the assessing officer and involve minor alterations to dwelling details, garden layouts and the introduction of additional visitor parking spaces. Due to the minor nature of these amendments it was not considered necessary to formally re-advertise the application.

In addition, the conditions for an approval have been agreed with the applicant as follows:

Timescale

The development hereby permitted shall be begun before the expiration of five years from the date of the issuing of the Outline permission. In the interest of clarity this is 24 November 2026.

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

Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

- P22-1227-DE_05 Rev I Site Location Plan
- P22-1227_DE_02 Rev AA Site Layout
- P22-1227_DE_04 Rev H Materials Plan
- P22-1227_DE_06 Rev G Affordable Tenure Plan
- P22-1227_DE_07 Rev G Building Heights
- P22-1227_DE_08 Rev G External Works
- P22-1227_DE_09 Rev G Refuse Strategy
- P22-1227_DE_10 Rev J Parking Strategy
- P22-1227_DE_11 Rev G Adoption Plan
- P22-1227_DE_11 Rev G Movement Plan
- P22-1227_DE_14 Rev D Illustrative Street Scenes
- 3262.100.1 Rev G Landscape GA Sheet 1 of 5
- 3262.100.2 Rev G Landscape GA Sheet 2 of 5
- 3262.100.3 Rev G Landscape GA Sheet 3 of 5
- 3262.100.4 Rev G Landscape GA Sheet 4 of 5
- 3262.100.5 Rev G Landscape GA Sheet 5 of 5
- 3262.100.6 Rev G Landscape GA Complete Site
- 0645-A-101-P2 Longitudinal Sections Sheet 1 of 2
- 0645-A-102-P2 Longitudinal Sections Sheet 2 of 2
- 0645-A-103-P3 Plot Levels
- 0645-A-104-P4 Preliminary Section 38 Plan
- 0645-A-105-P4 Kerbing and White Lining
- 0645-A-106-P3 Materials Plan
- 0645-A-107-P0 Road Construction Details
- 0645-A-120-P3 Drainage Strategy
- 0645-A-0121-P3 Surface Water Catchment Plan
- 0645-A-0122-P4 Flood Exceedance Routing Plan
- Play Area Proposal 03 February 2023
- P22-1227_DE_03J House Type Pack February 2023

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

Pre-Commencement

Construction Ecological Management Plan

No development nor clearance works shall occur on the development hereby approved until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEcMP shall include the following

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".

- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs in line with the submitted Arboricultural Method Statement 1031-AMS-MU (February 2023).
Reason: To ensure protection of biodiversity during construction. This is necessary as a pre-commencement condition to ensure suitable measures are in place prior to work starting on site.

Pre-Relevant Works

Hedgerow and Scrub Removal

No works relating to hedgerow or scrub removal shall occur until a license Dormouse license has been granted by Natural England. The works shall be undertaken in accordance with the details approved by Natural England.

Reason: To ensure suitable protection and mitigation for dormice.

Pre-Foundations

Highway delivery

Prior to works commencing on foundations details of phased delivery of Highway matters shall be submitted to and approved in writing by the Local Planning Authority. This shall set out the phasing process and areas of delivery for each phase.

Prior to each agreed phase commencing details, including drawings and delivery timetables for estate roads, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be submitted to and approved in writing by the Local Planning Authority.

These aspects shall be constructed and laid out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a suitable design of the streets and highway network.

Pre-Damp Proof Course

Elevation Materials

No works shall occur above foundation-level until details, including type and colour, of all external materials to be used on the elevations of the houses and flats hereby approved have been submitted to and approved in writing by the Local Planning Authority.

The development shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable materials in the interest of visual amenity and good design.

Boundary Treatments

No works shall occur above foundation-level until details, including material and design, of all public and private boundary treatments are submitted to and approved in writing by the Local Planning Authority.

The boundary treatment shall be installed in accordance with the approved details prior to first occupation or use of the respective area.

Reason: To ensure appropriate design and material choice in the interest of visual amenity.

Pre-Installation

Lighting

No external lighting shall be installed on the site unless details of the lighting have previously been submitted to and approved in writing by the Local Planning Authority (including location, type and specification). The details shall include:

- a) A map showing the “dark areas” that will be maintained on site.
- b) An evidence based assessment of light levels of the development, including buildings, vehicle headlamps and street lighting, comprising a written report and accompanying drawings of the site with the levels of predicted illuminance and light spill in and adjacent to the “dark areas” shown by appropriate isolines.
- c) Evidence to demonstrate that a light spill no higher than 0.5 lux will be achieved within the “dark areas”
- d) Where c) is achieved either fully or in part through landscaping, details of the landscaping and its management to ensure it will maintain the “dark areas” in perpetuity. These details shall be incorporated into the details of landscaping and Landscape and Ecological Management Plan (LEMP) where applicable.

The lighting shall be installed in accordance with the approved measures and retained in that manner at all times thereafter.

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

Pre-occupation

Landscape Ecological Management Plan

Prior to first occupation of any dwelling hereby approved a Landscape Ecological Management Plan (LEMP), including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be carried out as approved at all times thereafter.

Reason: To ensure biodiversity gain and that satisfactory landscaping works are provided and maintained.

Refuse Storage

Prior to first occupation of any dwelling hereby approved full details, including location, design and materials of refuse and recycling stores shall be submitted to and approved in writing by the Local Planning Authority.

The refuse and recycling stores shall be installed in accordance with the approved details prior to occupation of each respective dwelling and retained solely for that use at all times thereafter.

Reason: To ensure suitable refuse and recycling storage in the interest of amenity and highway safety.

Cycle Storage

Prior to first occupation of any dwelling hereby approved full details, including design and materials, of secure cycle storage at a ratio of 1 space for each 1-bed or 2-bed dwelling and 2 spaces for each 3-bed or more dwelling has been submitted to and approved in writing by the Local Planning Authority.

The approved cycle storage shall be installed prior to first occupation of the respective dwelling it serves and retained at all times thereafter.

Reason: To promote sustainable transport options for occupants.

Parking

Prior to first occupation of each dwelling hereby approved the relevant vehicle parking spaces shall be provided in accordance with the approved details. Allocated spaces in shared parking areas shall be clearly marked with the relevant allocation details. All spaces shall be retained solely for that use at all times thereafter.

Reason: To ensure suitable parking provision for motor vehicles to reduce impacts on highway safety.

Drainage

Prior to first occupation of any dwelling hereby approved the approved surface water management system shall be implemented in accordance with the approved details and brought into use.

The approved surface water drainage details are:

- 06545/FRA/0001 Rev4 Flood Risk Assessment and Drainage Strategy (February 2023)
- 06545-A-0101-P2 Longitudinal Sections Sheet 1 of 2
- 06545-A-0102-P2 Longitudinal Sections Sheet 2 of 2
- Storm Sewer Design Criteria 12-02-2023
- 06545-A-0120-P3 Drainage Strategy
- 06545-A-0121-P3 Surface Water Catchment Plan
- 06545-A-0122-P4 Flood Exceedance Routing Plan

Reason: To prevent flooding and provide suitable on-site surface water management.

Compliance

Gates

All rear service alleys shown on the approved plans shall see the gates with locks installed prior to first occupation of the relevant dwelling(s).

Reason: To provide security to future occupants.

LEAP

The play area approved as part of this approval shall be installed in accordance with the details set out on approved drawing Play Area Proposal (dated 03 February 2023) unless otherwise agreed in writing with the Local Planning Authority. This area shall remain solely for this use at all times thereafter.

Reason: To ensure suitable play facilities are provided by this development.

Silt Management

The development hereby approved shall be undertaken in accordance with the details set out in the submitted Silt Management Plan 06545-WR-A-P1 (February 2023) at all times.

Reason: To limit impacts during the construction phase.

Tree Replacements

In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

Reason: To ensure long-term biodiversity net gain and mitigation from the scheme.

Informatives:**Outline Conditions**

It is brought to the applicant's attention that outstanding conditions remain on the Outline decision notice 15/0641/OUT and that this application does not discharge any conditions except for those required at Reserved Matters stage. Separate application will need to be made to resolve those conditions.

Negotiated Approval

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.

CIL

The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Accordingly your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website.

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.

European Marine Sites

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 Area (SPA), the Exe Estuary, which is a designated European site. 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 fund the mitigation strategy. Or, if the development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism (this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).

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