



Exeter City Council

To the Chair and Members
of the Planning Committee

Please ask for: Howard Bassett
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Our ref:
Your ref:

A meeting of the **PLANNING COMMITTEE** will be held in the **RENNES ROOM, CIVIC CENTRE, PARIS STREET, EXETER** at **5.30 pm** on **MONDAY 24TH JUNE 2013** to consider the following business. If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on **Exeter 265107**.

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

A G E N D A

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

1 **APOLOGIES**

To receive apologies for absence from Committee members.

2 **DECLARATIONS OF INTEREST**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

3 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC**

It is not considered that the Committee would be likely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed: -

RECOMMENDED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part I of Schedule 12A of the Act.

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Public Speaking

Public speaking on planning applications and tree preservation orders is permitted at this Committee. Only one speaker in support and one opposed to the application may speak and the request must be made by 5pm on the Thursday before the meeting (full details available on request from the Member Services Officer).

- 4 **PLANNING APPLICATION NO. 13/3219/03 - FORMER FOXHAYES PRIMARY SCHOOL, GLOUCESTER ROAD, EXETER**
To consider the report of the Assistant Director City Development. 5 - 12
(Report circulated)
- 5 **PLANNING APPLICATION NO. 13/3089/26 - MARSH BARTON STATION, CLAPPERBROOK LANE, EXETER**
To consider the report of the Assistant Director City Development. 13 - 18
(Report circulated)
- 6 **PLANNING APPLICATION NO. 13/3207/26 - NEWCOURT STATION, OLD RYDON LANE, EXETER**
To consider the report of the Assistant Director City Development. 19 - 24
(Report circulated)
- 7 **PLANNING APPLICATION NO. 13/3101/03 - ORCHARD BUNGALOW, LUDWELL LANE, EXETER**
To consider the report of the Assistant Director City Development. 25 - 28
(Report circulated)
- 8 **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**
To consider the report of the Assistant Director City Development. 29 - 50
(Report circulated)
- 9 **ENFORCEMENT PROGRESS REPORT**
To consider the report of the Assistant Director City Development. 51 - 52
(Report circulated)

10

SECTION 106 AGREEMENTS

To consider the report of the Assistant Director City Development

53 - 112

(Report circulated)

11

APPEALS REPORT

To consider the report of the Assistant Director City Development.

113 - 116

(Report circulated)

12

SITE INSPECTION PARTY

To advise that the next Site Inspection Party will be held on Tuesday 9 July 2013 at 9.30 a.m. The Councillors attending will be Bialyk, Mrs Henson and Tippins.

DATE OF NEXT MEETING

The next scheduled meeting of the Planning Committee will be held on **Monday 22 July 2013** 5.30 pm. in the Civic Centre.

Membership -

Councillors Bialyk (Chair), Spackman (Deputy Chair), Choules, Denham, Donovan, Edwards, Mrs Henson, Mitchell, Owen, Prowse, Sutton, Tippins and Winterbottom

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Agenda Item 4

ITEM NO. 4

COMMITTEE DATE: 24/06/2013

APPLICATION NO: 13/3219/03 FULL PLANNING PERMISSION

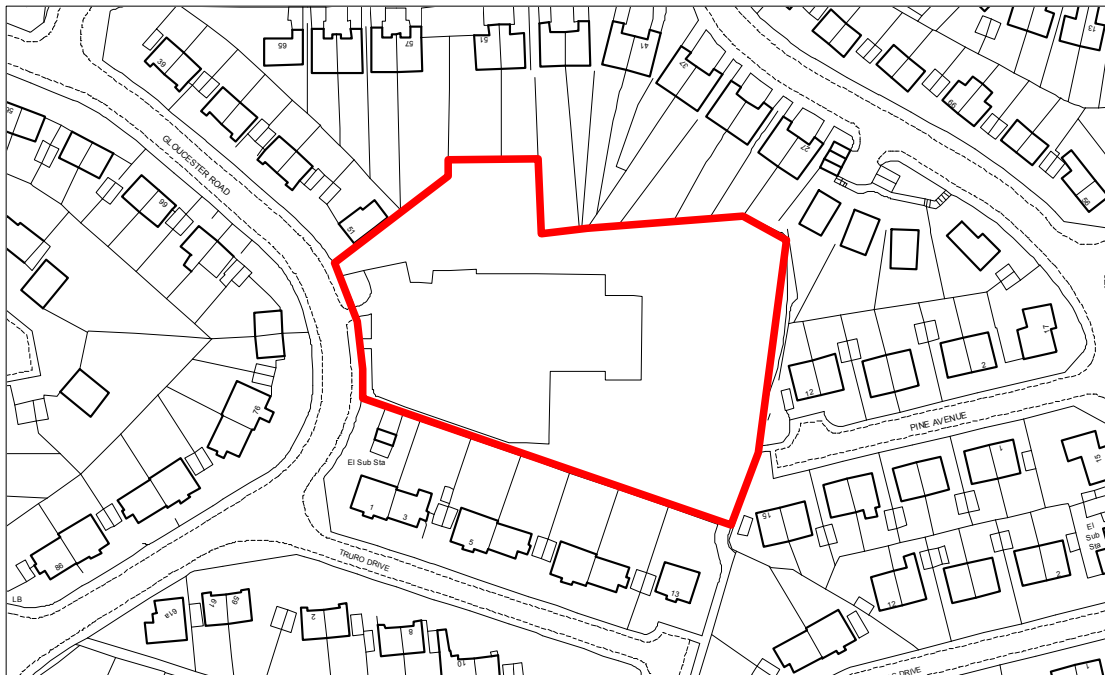
APPLICANT: Mr Whitlock
Steiner Academy Exeter

PROPOSAL: Consent for the installation of temporary buildings on land at Gloucester Road for use by the Steiner Academy Exeter (education use (D1)). Creation of temporary outdoor play area and associated works. Temporary consent for up to three years.

LOCATION: Former Foxhayes Primary School, Gloucester Road, Exeter, EX4 2EE

REGISTRATION DATE: 02/05/2013

EXPIRY DATE: 27/06/2013



Scale 1:2000

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HISTORY OF SITE

94/0759/26 -	Single-storey extension to form pre-school unit		17/01/1995
01/1239/26 -	Ground floor extension to provide nursery classroom on north elevation	PER	15/10/2001
10/0290/26 -	Access road from west boundary with Gloucester Road.	PER	11/05/2011

DESCRIPTION OF SITE/PROPOSAL

The application site comprises a parcel of land extending to approx 0.75 hectare situated on the east side of Gloucester Road. Aside from the boundary with Gloucester Road itself, the site is bounded by the gardens of existing residential properties. Vehicular access to the site is provided from Gloucester Road, and two historical pedestrian access points exist in the south-east corner of the site, one leading onto Pine Avenue and one onto Truro Drive. The recognised planning use of the site is for educational use with the site previously being occupied by Foxhayes Primary School (which had a capacity of 235 pupils), although the

buildings associated with the former school have since been removed and the site is currently vacant.

The proposal comprises the erection of a series of temporary classrooms located around the existing access road and turning head for use as a school for a temporary period of up to 3 years. These temporary buildings would utilise the slab foundations that remain from the previous school buildings. The buildings would be single storey in nature and have a combined floor area of 687 m². The proposed development will provide temporary accommodation for a new state funded free school, in the form of a Steiner Academy, whilst they secure a permanent site elsewhere within the city. This temporary proposal will provide for up to 130 pupils in the first year (reception to Year 3 and Year 7 only), rising to 182 pupils in the second year (reception to Year 4 and Years 7 & 8). Although consent is sought for 3 years it is anticipated that the third year will not be required as the permanent site should be up and running by then. The school needs to be operational by September 2013 and therefore this application is key to their strategy.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting information -

- Design and Access Statement
- Planning Statement
- Transport Statement, and
- School Travel Plan.

REPRESENTATIONS

3 letters of representation have been received raising the following issues -

- previous damage to boundaries
- proximity of buildings and play area to adjoining residential property - visual impact and disruption associated with children playing
- increased traffic/congestion
- preference for a single dwelling on the site.

In addition to the written representations referred to above a number of local residents have contacted the case officer by phone to raise issues relating to highway matters (including pedestrian access) and trees.

CONSULTATIONS

Head of Planning, Transportation and Environment (DCC) - Comments as follows -

"The temporary school is expected to cater for 130 pupils in its first year (reception, years 1, 2, 3 and 7) rising to 182 the next year. The sole vehicular access is provided onto Gloucester Road. A secondary pedestrian access links onto Pines Avenue, although since the previous school here was closed this has become overgrown.

The submitted application highlights that the pedestrian route to the south of the site will be reused as part of the development. This is an important measure for promoting sustainable travel to the site and it is recommended that its provision is secured through a condition of any planning permission.

The vehicular access onto Gloucester Road is a priority junction. When this previously served as the access to the Foxhayes School there were "School Keep Clear" markings provided adjacent to the access. To provide a safe and suitable access to the site these markings should be reinstated, which is typically secured through a Traffic Regulation Order (TRO). The timescales to provide these at the time of September opening with the

appropriate TRO will be challenging. The applicant is therefore advised that in the interim these should be provided in line with specifications set out in the Traffic Signs Regulations and General Directions as advisory markings as part of the site access. Details of this will need to be agreed before implementation and it is recommended that this is secured through an appropriate condition.

To enable enforcement of these markings they need to be supported by a Traffic Regulation Order. The cost of this will need to be funded by the applicant and therefore a contribution of £6,000 to cover the cost of implementing the necessary orders and removing these when any permission lapses is requested.

The proposed site is approximately 330 metres from Exwick Heights Primary School. Current pick up and drop off at that school results in a concentrated period of high on street parking demand that creates a congested environment to the detriment to highway safety and amenity of local residents. This parking can, particularly in the afternoon, extend down past the junction of Gloucester Road and Knowle Drive close to the access of the Foxhayes site.

As agreed with the highway authority, the applicant has submitted a transport statement alongside the application. This document highlights that the proposed development is expected to generate an additional 147 trips/day in the first year and 198 trips/day in the second year.

If these additional movements were to occur concurrently as those at Exwick Heights it would be expected to significantly exacerbate the existing problems. This would increase the likelihood of unsafe manoeuvres on the public highway which could potentially have severe safety implications, particularly given the demographic of those likely to be on foot at the time.

To mitigate this the applicant has highlighted that they propose to operate different opening times to the nearby Exwick Heights and the highway authority welcomes this move. This is fundamental to the acceptability of the application on highway grounds and therefore recommended that a condition on the opening hours of the school is attached in the granting of any permission.

We are pleased that the applicant has been in frequent liaison with the Highway Authority regarding the site Travel Plan. The submitted Travel Plan is comprehensive and covers a range of measures that should help to reduce the number of, particularly single occupancy, car borne trips. To ensure that the measures within this plan are adhered to a condition of that effect is recommended.

The proposed application has the potential to have a severe impact on the operation and safety of the public highway. However, the applicant has put forward a number of measures, particularly with regards to opening hours, that can make the proposals acceptable to the highway authority. Subject to these measures being secured by conditions then the highway authority would raise no objection."

Strategic Planning - Children's Services (DCC) - "I am writing to confirm that Devon County Council is in ownership of the former Foxhayes Primary School site and has been in discussion with the Department for Education regarding the proposal. The Education Authority recognises the proposal supports the Governments' Free School programme targeted at increasing choice and diversity for parents."

Police Architectural Liaison Officer - No objection in principle - Comments on design aspects from the perspective of minimising the potential for criminal activities.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

NPPF - National Planning Policy Framework - Para 14 Presumption in favour of sustainable development, Para 17 Core Planning Principles, Paras 32, 36-37, Paras 56-68 Requiring Good Design, Para 72 - Education provision, Para 212 Confirmation of Policies in NPPF as

material considerations, Para 215 weight to be attached to Local Plan policies in accordance with their degree of consistency with the NPPF

DCLG Policy Statement on 'Planning for Schools Development' August 2011

Exeter Local Development Framework Core Strategy

CP10 - Meeting Community Needs

CP15 - Sustainable Construction

CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development

AP2 - Sequential Approach

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T10 - Car Parking Standards

DG1 - Objectives of Urban Design

DG7 - Crime Prevention and Safety

Exeter City Council

Sustainable Transport SPD

OBSERVATIONS

This site was previously occupied by Foxhayes Primary School and although all the school buildings have subsequently been demolished and cleared from the site the lawful planning use of the site remains use for the provision of education (Use class D1). Consequently, the principle of the re-use of this site by the Steiner Academy for a non-profit making independent state-funded school is inherently acceptable and the consideration of this proposal relates to the erection of temporary buildings and creation of outdoor play areas in connection with that use.

Material to the consideration of this proposal is the Government's policy position regarding the development of schools as set out in paragraph 72 of the NPPF which states -

"The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a pro active, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- *give great weight to the need to create, expand or alter schools; and*
- *work with schools promoters to identify and resolve key planning issues before applications are submitted."*

Funding for the creation of a state funded Steiner Academy free school has been allocated by the Department for Education. Whilst the search for a permanent site is on-going a temporary site is required to allow the school to meet the requirement to be open for admissions from September 2013. The application site was selected for the temporary school following pre-application discussion with officers of both the City and County Council. Permission has been sought for a maximum period of 3 years although it is envisaged that the move to a permanent site is likely to place sooner than that.

When considering a location for the temporary school site the former Exwick Middle School site further along Gloucester Road was considered. However, this was dismissed due to its

proximity to the new Exwick Heights school and the potential highway issues arising from two schools in such close juxtaposition. Being slightly further away from the Exwick Heights school the application site was considered preferable in highway/transportation terms.

Notwithstanding that provision of education is a lawful use of the application site most of the concerns expressed by the public in response to consultation have related to highway/transportation matters. The main concerns have related to traffic congestion and associated highway safety impact around drop-off and pick-up times, and pedestrian access to the school in terms of impact on surrounding residential areas. The main access to the school, including the vehicular access to the staff parking on site, will be off Gloucester Road as was the case for the former Primary School. Two bus stops are located within close proximity to the school entrance and therefore provide a convenient alternative mode of transport to the private car for potential pupils of the school. To further reduce potential congestion in the local area associated with drop-off/pick-up activities it is proposed to stagger the opening times of the school so that they are different to the opening times of the nearby Exwick Heights school. According to their website Exwick Heights Primary School operates as follows -

- Nursery AM sessions open from 8.30 -11.30, PM sessions 12.30 -15.30 (with collection allowed from 15.15 onwards).
- Key Stage 1 (Years 1&2) - Access to school ground from 8.25 (classrooms from 8.40), End of day 15.15
- Key Stage 2 (Years 3,4,5,6) - Access to school ground from 8.25 (classrooms from 8.40), End of day 15.20.

The Steiner Academy are proposing opening Hours of 9.00 - 15.30. The acceptability of these proposed opening hours from a transportation issue perspective are being discussed with the County Council and the outcome of these discussions will be reported at Committee.

Utilising the pedestrian access into the site from Pine Avenue will reduce walking times to the school from parts of the City and the School Travel Plan will promote these routes as alternative means of access. The existence of this alternative access will also disperse drop-off/pick-up vehicular traffic over a wider area and help to minimise congestion on Gloucester Road. The agent has been asked to clarify whether or not it is also the intention to utilise the existing pedestrian access leading to Truro Drive in connection with this proposal.

It is understandable that local residents will be concerned about the inevitable increase in traffic in the local area associated with re-establishment of a school on site. However, it is not considered that a school accommodating a maximum of 182 pupils for a temporary period of up to 3 years will have such a significant adverse highway impact that would warrant refusal of the application. This is especially the case given the previous school use of the site, and the Government's stated policy position on school related development. The Highway Authority has confirmed that provided conditions are imposed regarding road markings, pedestrian access, parking, school travel plan and opening hours, and a contribution towards the cost of appropriate traffic orders outside the site is secured, the proposal is acceptable from a highway impact perspective.

The relationship of the proposed school buildings and associated play areas to surrounding residential properties is a material planning consideration in respect of this proposal. The use of temporary buildings is considered acceptable in the context of the temporary nature of the proposal pending a permanent site for the Steiner Academy (which is actively being pursued) being delivered.

The temporary buildings are single storey and will be sited in a group around the existing road and turning head within the site in a broadly similar position to the original school buildings. Given the massing of the proposed temporary buildings, and their positioning on the site, it is considered that the physical relationship to surrounding properties is acceptable

and would not be overbearing or prejudicial to the residential amenities of the occupants of those properties. The play area for the pre-school classroom is located between the temporary buildings and the side boundary of no 51 Gloucester Road and 57 Knowle Drive, it will be fenced and does not extend right up to the common boundary. This relationship is considered acceptable especially in light of the former school use of the site as a whole, and more specifically this part of the site as a grassed area that formed part of the school's available external play areas/ancillary land. The fact that this remains a lawful use of the land is also a material consideration. The remaining play area facilities to serve the temporary school involve the re-use of former play areas and hard surfaced playgrounds elsewhere within the site.

Western Area Working Party (04/06/13)

Members noted the representations raised, particularly those relating to traffic impact. Given the previous use of the site as a primary school, and the fact that the temporary buildings are to be located in a similar position to the original school buildings, members felt the impact of the proposal, and relationship to surrounding properties, was acceptable. Members noted that the application would be determined by Planning Committee.

Conclusion

The site has previously been used as a Primary school and this remains the lawful planning use of the land and this is material consideration in the assessment of the merits of this proposal. The proposal is for a temporary period of time pending a permanent site for the new Steiner Academy being finalised and delivered. The proposal will meet a recognised demand for additional school places in Exeter, and widen choice in terms of the type of education provision available within the City. As such the proposal is consistent with the Government's stated presumption in favour of the development of state-funded schools. Whilst the proposal will inevitably result in an increase in traffic movements around the site for the duration of the consent it is not considered, especially in light of the previous school use of this site, that the impact would be significantly adverse in terms of highway safety. The buildings themselves are modest in scale and their siting in relation to surrounding properties is considered acceptable. This temporary proposal is essential to the establishment of a new state-funded Steiner Academy in Exeter as the school needs to be operational by September 2013 in line with funding arrangements and the fact that pupils have already applied for places at the school from that date.

Overall the proposal is considered acceptable.

RECOMMENDATION

Approve subject to the following conditions:

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The buildings hereby approved shall be wholly removed from the site and the use shall be discontinued and the site restored to its former condition no later 31st July 2016 .
Reason: The buildings are temporary in nature and are unsuitable as a permanent features in this locality.
- 3) 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 2nd and 20th May 2013 (*dwg. nos. Site Location plan, 72/0008274-101 Rev J, SK-01 Rev A, 07R-678DCT-21-01 Rev C and 07R-372SCT-21-01 Rev D*), as modified by other conditions of this consent.

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

- 4) The development hereby approved shall not be brought into use until the pedestrian access from the site onto Pine Avenue has been re-instated for use in accordance with measures that shall previously have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the said access shall be maintained and made available for use in accordance with those details for the duration of the consent.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site, in the interest of public safety

- 5) Unless otherwise agreed by the Local Planning Authority in writing no part of the development hereby approved shall be brought into its intended use until
(1) the access, parking facilities, turning area and associated road markings have been provided in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority, and
(2) the applicant has entered into a Section 106 Agreement, or equivalent arrangement, with the County Council to secure the making of a Traffic Regulation Order relating to the road markings referred to in (1) above.
Thereafter those items referred to in (1) above shall be retained for the intended purpose at all times.

Reason : To ensure that a safe and suitable access is provided for all users to the site, in accordance with paragraph 32 of the National Planning Policy Framework.

- 6) The School Travel Plan prepared by RPS Planning and Development Ltd on behalf of the Education Funding Agency, and submitted in support of this application, shall be implemented in full upon commencement of the development hereby approved. Thereafter it shall be reviewed on an annual basis in accordance with the provisions set out in Section 4.3 of the document. Any amendments identified in the annual review shall be submitted to and agreed in writing by the Planning Authority and shall thereafter form part of the approved plan.

Reason - To ensure that the development is implemented in such a way as to minimise the highway impact of the development and encourage the use of sustainable modes of transport.

- 7) School opening hours (to be confirmed in update sheet following further negotiation)

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

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Agenda Item 5

ITEM NO. 5

COMMITTEE DATE: 24/06/2013

APPLICATION NO: 13/3089/26

DEVON COUNTY COUNCIL
CONSULTATION

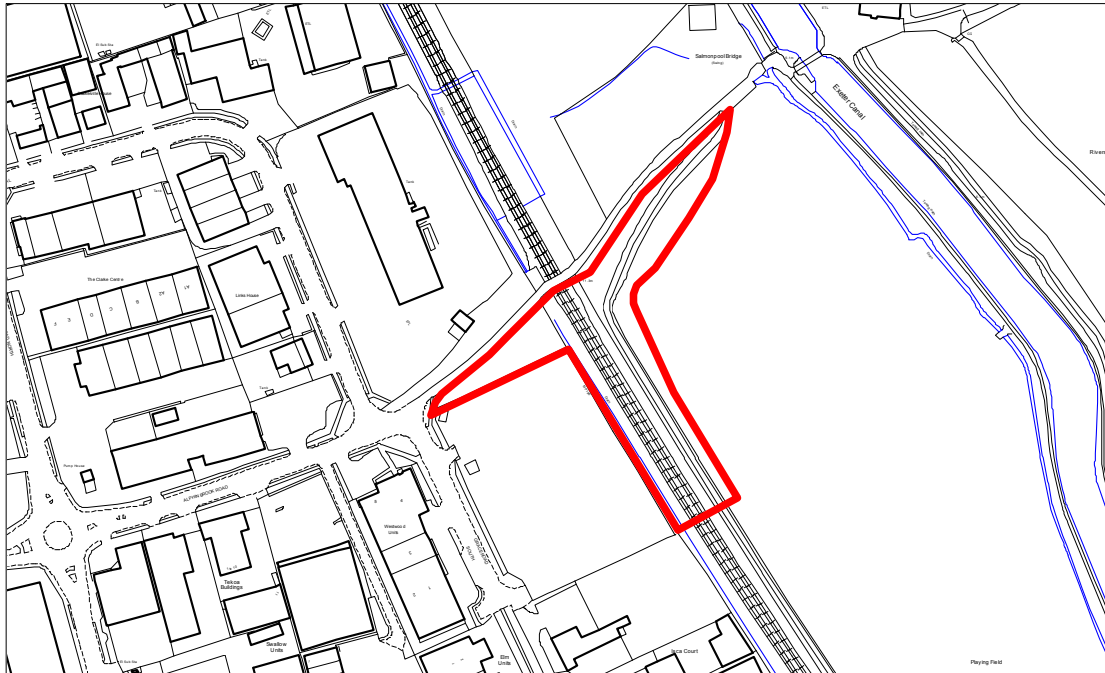
APPLICANT: Devon County Council (Planning, Transportation and Environment)

PROPOSAL: Erection of a two platform railway halt with associated pedestrian footbridge, access and parking/turning area and emergency access road.

LOCATION: Marsh Barton Station, Clapperbrook Lane, Exeter, EX2

REGISTRATION DATE: 15/04/2013

EXPIRY DATE: 05/05/2013



Scale 1:3000

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HISTORY OF SITE

Planning permission was granted for an energy from waste facility on the adjacent site (planning ref 07/0927/25). The site was previously used for incineration and as a waste transfer station. This development is under construction and expected to become operational in summer 2014.

DESCRIPTION OF SITE/PROPOSAL

The application site (0.87 hectares) consists largely of existing railway operational land either side of the Exeter to Newton Abbot railway line to the eastern edge of the Marsh Barton Industrial Estate. The new station would be positioned on the eastern side of the new Energy from Waste facility currently under construction on Grace Road South.

The application is for a two platform railway station. The station will be unstaffed, but fully accessible with waiting shelters, cycle racks, lighting, CCTV and a Help Point/ Customer Information Service. It is proposed to erect a new steel footbridge to provide access across the railway for pedestrians and cyclists.

Each of the platforms will be 125 metres in length, sufficient to accommodate four carriage trains.

A waiting shelter (containing a Help/Information Point) will be provided on each platform and measure 7.3 metres wide, 2 metres deep and 2.5 metres high.

Cycle storage shelters will be provided adjacent to both platforms and will accommodate 10 cycle stands (up to 20 bicycles) on each side of the railway. These will measure approximately 7 metres wide, 2 metres deep and 1.97 metres in height. Whilst 40 cycle spaces are provided it is anticipated that demand will increase as service improvements are made between Exeter and Paignton to provide a 30 minute service frequency and so additional facilities will need to be provided in the future to around 20 more spaces. The proposed cycle facilities are within covered shelters, covered by CCTV and motion sensor lighting.

The new pedestrian footbridge will be located to the south of and adjacent to the existing bridge for Clapperbrook Lane East. The footbridge will provide ramped and stair access to the platforms and bridge deck. The deck of the footbridge will be approximately 6 metres above the existing ground level of the railway, with parapets of 1.6 metres. The new footbridge has been designed to ensure that the station is fully accessible for all user groups.

Access to the station will be from Clapperbrook Lane East, with a new access road with parking for 6 cars, 2 of which will be dedicated disabled spaces, provided to the east of the site (the southbound platform). A drop off point will also be provided. The new road carriageway will be 4.8 metres wide, with a 1.5 metres footway provided. To the west of the site serving the northbound platform a 3 metre emergency vehicle access with pedestrian/cyclist link will also be provided.

Platform lighting will be mounted on 7 metre high columns. The lanterns will utilise high efficiency fluorescent lamps and use flat glass diffusers to minimise glare and overspill to surrounding areas. These lights will also illuminate the staircases for the footbridge. Lighting columns will also be provided within the proposed main access and car park to the east of the railway and at the site entrance with Clapperbrook Lane.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application was accompanied by a Planning Statement which incorporated the Design and Access Statement, In addition, the following documents have been provided:- Construction Traffic Management Plan, Flood Risk Assessment; Sustainability Statement; Ecology Report (Reptile and Dormouse Surveys including Phase 1 Survey Update); Tree Survey Report; Site Waste Management Plan; Geotechnical Interpretative Report and Landscape Design Proposals.

The proposed Marsh Barton railway station helps achieve the transportation objectives defined within the Exeter Local Plan First Review by locating along an existing, used railway line and adjacent to an existing trading estate. Its location will also provide an alternative, sustainable means of travel and reduce the number of individual motor vehicle journeys made to the estate. The design of the station also includes two fully accessible platforms, which will ensure that all user groups, particularly the vulnerable and mobility impaired will benefit from the proposal

Main benefits that will be delivered by the proposed scheme include:

- Improve access to Marsh Barton Trading Estate for both commuting staff.
- Supporting significant levels of planned growth in the Devon area and supporting better access to employment, and leisure opportunities for the local community.
- Achieving the vision of the Devon Metro Project which is to provide a package of measures to improve rail services, including longer trains, increased frequency of some services and several new rail stations, including at Marsh Barton, Newcourt and Edginswell.

- A fully accessible station forecourt with pedestrian footbridge that enables full disabled access, cycle provision, waiting shelters, CCTV, customer information services and security lighting to maintain a safe users experience.
- Accordance with local and national planning policy which seeks to provide sustainable transport options.

Main impacts from the proposed scheme are:-

Landscape - the proposal includes the removal of tree and shrubs in order to facilitate two access points to the station forecourt. To mitigate the vegetation loss, a landscaping scheme is proposed which includes the planting of additional trees and shrubs. It is generally considered that the proposed planting mitigates against the loss and therefore the proposed scheme accords with the provision of planning policy that relates to the conservation and enhancement of the natural environment.

Visual Impacts - the pedestrian footbridge will be the most visually obtrusive addition to the landscape, however, it is not anticipated to cause any significant deterioration in local visual amenity as it will be viewed in the context of the existing industrial estate and large scale buildings and will be no more intrusive than the existing pedestrian footbridge.

Heritage - it is considered that the proposal will not have any physical impacts on historic structures, archaeological features or palaeoenvironmental deposits. Therefore, no archaeological or building recording will be required in mitigation of the proposed works.

Ecology - a Phase 1 Habitat Survey was undertaken in 2012 and identified the presence of three reptile species and the potential to disturb nesting birds during construction. It is considered that with appropriate mitigation in place, the proposal will not have any adverse effects on local ecology.

Noise - it is anticipated that noise levels in the vicinity of the station will increase during construction and operation. However it is anticipated that the noise levels would not increase to levels significantly greater than those already generated by the Marsh Barton Trading Estate and from trains that use the existing railway line.

Air Quality - it is considered that the proposal will have no adverse effect on the local air quality, and in fact, by encouraging a modal shift in transport habits, from use of the motor vehicle to the train, a small improvement in air quality is anticipated locally.

Flooding and Water Quality - the Flood Risk Assessment states that the railway line is at risk of flooding from the River Exe. However, the proposed station platforms are not at risk of fluvial flooding, up to a 1 in 100 annual probability. There is no opportunity to locate the railway station on land in a lower flood risk zone and since the development is classified as 'essential infrastructure' the proposal is considered to meet the Exception Test set out in the NPPF and is therefore considered to be acceptable.

Contaminated land - ground investigations have been undertaken, and no evidence of significant contamination has been found at the site.

Surrounding Amenity - there are no sensitive properties within the site vicinity and therefore no adverse effects on surrounding properties are predicted. The playing field to the east will not be affected by the proposal, nor will there be any effects on the nearby cycleway or walking route at Clapperbrook Lane.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance: National Planning Policy Framework

Section 4 - Promoting Sustainable Transport

Exeter Local Development Framework Core Strategy

CP2 - Employment
CP9 - Transport
CP12 - Flood Risk
CP15 - Sustainable Construction
CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

L1 - Valley Parks
T3 - Encouraging Use of Sustainable Modes
T10 - Car Parking Standards
LS1 - Landscape Setting
LS4 - Local Nature Conservation Designation/RIGS
EN3 - Air and Water Quality
EN4 - Flood Risk
DG1 - Objectives of Urban Design
DG7 - Crime Prevention and Safety

OBSERVATIONS

The principle of a new railway halt at Matford/Marsh Barton is established within Core Strategy Policy CP9 as part of the comprehensive strategic transport measures to accommodate the additional development proposed for the city and adjoining areas. It is considered that the station is likely to operate principally as a destination for people travelling to workplaces in Marsh Barton and Matford and across the Valley Park to locations such as County Hall and the RD&E Hospital. The site is well connected with an extensive network of walking and cycling routes within the Valley Park, and along the Alphin Brook. Being a destination for most journeys rather than a point of origin, it is not considered likely to attract significant car-borne traffic. Parking provision is therefore limited to four spaces, plus a further two for disabled users, as well as a set of covered cycle stands on each side of the railway. A new footbridge with steps and full ramped access is proposed, as the existing Clapperbrook Lane road bridge does not provide a direct or wheelchair accessible route across the railway.

Given the principle of the new station is acceptable it is the specific impact of the associated structure that needs to be assessed to ensure the successful integration of the facility within the surrounding area. The proposed station is located a significant distance away from residential properties, the closest being on the opposite side of the River Exe and therefore the station will not cause loss of residential amenity. The issue of lighting of the station, which can potentially have a visual impact over a wider area, has been assessed by the Environmental Health officer and it is not considered to have an adverse impact on nearby properties or businesses. However whilst the majority of the new platform and associated works will be located within railway operational land, the station will, in part be located in a Valley Park and Site of Nature Conservation Importance as designated within the Exeter Local Plan. It is therefore the physical and visual impact of the station within this area which needs to be addressed.

The eastern platform, serving south bound trains (platform 1) is located with the Valley Park and a Site of Nature Conservation Importance. The platform and stairs/ramp will be located predominately on existing railway operational land however it will also result in the removal of an existing hedge. The visual quality of this hedge is considered poor and is sporadic in the area where the platform and ramp is to be located. Consequently the biodiversity benefit of the hedge is considered to be limited, which is an opinion supported by the accompanying Ecological Report and there is no objection to the removal of the hedge. However the enhancement of the vehicular access serving this platform and the creation of six car parking

spaces will potentially have greater harm given it will involve the removal of a number of semi mature and mature trees on both sides of the access road. These trees do form an important linear area of mature planting which helps to screen the proposed application site from wider views and within the Valley Park. It is important that this wooded area is retained. The accompanying landscape plan does show that significant existing trees will be retained and new trees replanted. It is therefore considered that this established wooded area will continue to help screen the platform and the proposed ramp/stairs which will have a maximum height of 8 metres. Subject to a suitable landscape condition and associated maintenance management plan to ensure the continued presence of a tree screen it is considered that this side to the railway station would be effectively screened.

The western platform, serving north bound trains (platform 2) is accessed from alongside the Energy from Waste plant, which is currently under construction. There is currently no pedestrian or vehicular access in this location and the area is largely overgrown with shrubs and several semi mature poplar trees. The application proposes the creation of a new pedestrian and emergency vehicle access, which would involve the removal of a significant area of this existing vegetation. This linear area of land increases in width from approximately 3 metres at its closest point adjacent to the junction of Clapperbrook Lane and Grace Road increasing to 25 metres adjacent to the proposed platform. Consequently in some areas the construction of the new access will be close to existing trees which are identified for retention. It is considered that the proximity of the proposed access will inevitably have an impact on these tree's future health. The potential for immediate or long term damage is further heightened by the changes in levels across this section of the site. It is important that trees continue to provide an attractive landscaped entrance into the Valley Park and also help to screen the new station. It is therefore considered that rather than attempting to retain some of the existing trees, as identified on the submitted landscape plan, a more realistic plan is produced which accepts that more existing trees will need to be removed. The existing trees are not considered worthy of preservation orders and given the narrowness of this part of this site, it is likely that they will be damaged during construction works in any case. It is therefore considered that a suitable condition is imposed to include a mixture of container grown stock and whips and a maintenance management plan provided to ensure the continued presence of trees in this location.

It is considered that the existing vegetation and proposed replanting will ensure that the structures associated with the station are effectively screened. Whilst the lower level facilities such as the platform, parking area, cycle racks and the waiting shelters would not be visible, the presence of landscaping is particularly important for the higher ramp, stairs and footbridge. It is however considered that the existing bridge over the railway will help to screen the new footbridge and the Energy from Waste facility will still continue to be the most dominant structure in the area and hide from of the station from public view on the Marsh Barton side.

The submitted plan shows the pedestrian path serving platform 2 meeting the junction of Clapperbrook Lane and Grace Road. As previously stated it is considered that this area represents an important entrance into the Valley Park. As presented the proposed arrangement does not allow for further landscape enhancement opportunities which would be possible if this access layout was reconfigured. Accordingly given this entrance is highly visible, it is considered that this area should be redesigned to ensure the most appropriate integration of pedestrian, cyclist, vehicular and landscaping opportunity is achieved.

In conclusion, it is considered that the facility is appropriate in policy terms and subject to suitable landscape and continued maintenance conditions being imposed the area would continue to be well screened from wider views and in particular from the Valley Park. Additional issues such as the Clapperbrook Lane/ Grace Road junction should be further investigated. In addition, it is considered that a condition should be imposed to ensure there is not excessive spillage from the proposed lighting for the station. It is also considered that a comment made that the construction of the works should not prejudice the potential for the supply of heat from the Energy from Waste Plant to meet the demand east of the River Exe,

as identified in the Exeter Energy Network Study and opportunities to facilitate this connection through the station and bridge design should be explored.

WESTERN AREA WORKING PARTY

30 April 2013 - Members were advised that the application from Devon County Council would be reported to Planning Committee. Members were broadly supportive of the proposed but commented on the need to ensure good access to existing pedestrian and cycle networks.

RECOMMENDATION

That the City Council raise **NO OBJECTION** subject to conditions in respect of a revised landscape plan showing a complete replanting of the western side of the site and further consideration of the access arrangement from the Clapperbrook Lane/Grace Road junction. In addition, a comment should be made to ensure the future consideration of the need to facilitate connections in respect of District Energy Network.

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

Agenda Item 6

ITEM NO. 6

COMMITTEE DATE: 24/06/2013

APPLICATION NO: 13/3207/26

DEVON COUNTY COUNCIL
CONSULTATION

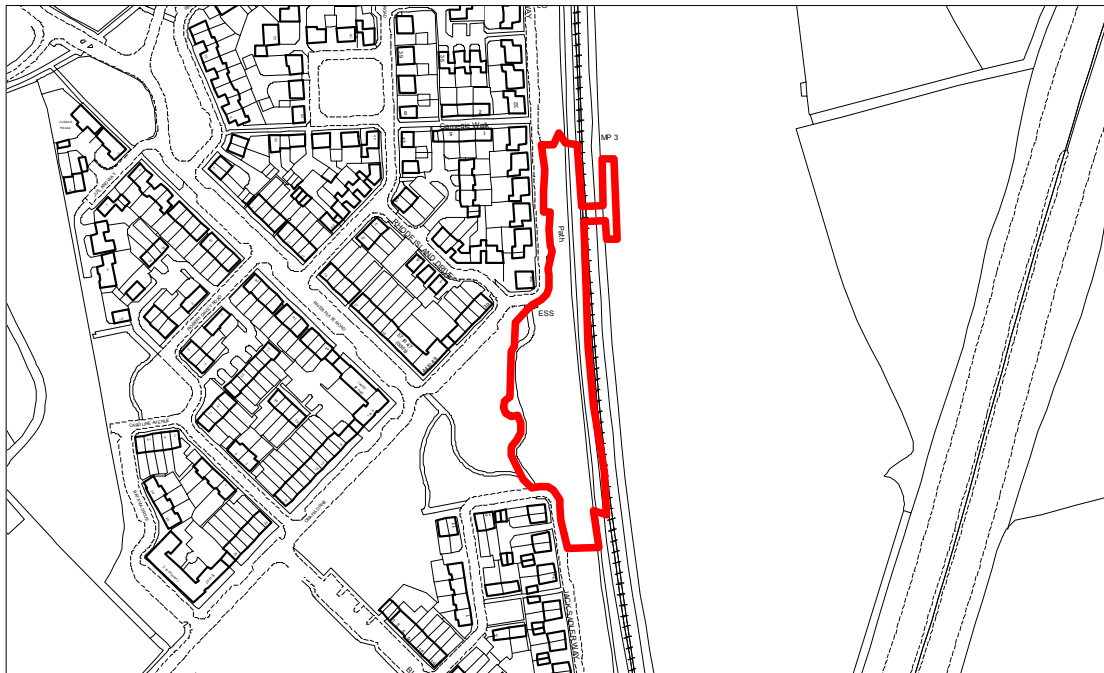
APPLICANT: Devon County Council (Planning, Transportation and Environment)

PROPOSAL: Erection of a single platform railway station on the existing Exeter-Exmouth railway line with associated pedestrian, vehicular access and parking area and provision for a future underpass crossing

LOCATION: Newcourt Station, Old Rydon Lane, Exeter, EX2

REGISTRATION DATE: 26/04/2013

EXPIRY DATE: 24/05/2013



Scale 1:3000

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DESCRIPTION OF SITE/PROPOSAL

The application site (0.66 hectares) consists largely of existing railway operational land either side of the Exeter to Exmouth railway line which travels in a north to south direction. The new station would be positioned on the eastern side of Liberty Way and adjacent the public open space.

The application is for a single platform railway station on a single track line. The station will be unstaffed, but fully accessible with waiting shelters, cycle racks, lighting, cctv and a Help Point/ Customer Information Service. In the future it is proposed to erect a new subway underneath the track to provide access for pedestrians and cyclists to an area which is identified in the Newcourt Masterplan for future development. The platform will be fully accessible, with both stepped and ramped access provided.

The platforms will be 124 metres in length, sufficient to accommodate four carriage trains.

The waiting shelter (containing a Help/Information Point) will measure 7.3 metres wide, 2 metres deep and 2.5 metres high.

A cycle storage shelter will be provided adjacent to the platform and will accommodate 20 cycle stands. These will be covered cycle shelters and measure approximately 6.9 metres wide and 2 metres in height. This will be positioned alongside the entrance into the station.

A total of 4 car parking spaces are to be provided for disabled badge holders only, adjacent to the station's entrance.

An existing public footpath which lies adjacent to the railway will be diverted to be located in the open space between the new station and existing housing in Liberty Way which will be subject to a separate diversion order.

Platform lighting will be mounted on 7 metre high columns. The lanterns will utilise high efficiency fluorescent lamps and use flat glass diffusers to minimise glare and overspill to surrounding areas. The access path and car park at the north end will be lit by an extension of the highway lighting on Liberty Way. No additional lighting is to be provided for the path from Jack Sadler Way.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application was accompanied by a Planning Statement which incorporated the Design and Access Statement, In addition, the following documents have been provided:- Construction Traffic Management Plan, Sustainability Statement; Ecology Report (Reptile and Dormouse Surveys including Phase 1 Survey Update); Tree Survey Report; Site Waste Management Plan; Geotechnical Interpretative Report and Landscape Design Proposals.

The principle for the creation of a railway station at Newcourt is established in local and national planning policy, both of which seek to deliver sustainable transport options for local communities. The proposed railway station at Newcourt is supported by the Exeter Core Strategy CP19 and Exeter Local Plan Policy KP8 which seeks to improve rail facilities in the Newcourt area.

Main benefits that will be delivered by the proposed scheme include:

- Improve access to the Newcourt community and forthcoming employment areas.
- Supporting significant levels of planned growth in the Devon area and supporting better access to employment and leisure opportunities for the local community.
- Achieving the vision of the Devon Metro Project which is to provide a package of measures to improve rail services, including longer trains, increased frequency of some services and several new rail stations, including at Marsh Barton, Newcourt and Edginswell (Torquay).
- A fully accessible station forecourt that enables full disabled access, cycle provision, waiting shelters, CCTV, customer information services and security lighting to maintain a safe user experience.
- Achieving accordance with local and national planning policy which seeks to provide sustainable transport options for the Newcourt growth area and its current and future residents.

Main impacts from the proposed scheme are:-

Landscape - the proposal includes the removal of tree and shrubs in order to accommodate the proposal. To mitigate the vegetation loss, a landscaping scheme is proposed which includes the planting of additional trees and shrubs along the railway line and within the newly designed public open space. It is considered that the proposed planting mitigates against the loss of existing planting and therefore the proposed scheme is considered to have a slight adverse impact on the local landscape.

Visual Impacts - it is considered that there would be moderate adverse visual impact on the nearby residential communities given the close proximity to the railway station and car parks.

The proposed planting scheme would help to reduce the visual impacts in the longer term as planting establishes.

Heritage - it is considered that the proposal will not have any physical impacts on historic structures, archaeological features or palaeoenvironmental deposits. The Grade II listed building Newcourt House is located nearby but not considered affected by the proposals.

Ecology - a Phase 1 Habitat Survey was undertaken in 2012 and identified the presence of two reptile species and the potential to disturb nesting birds during construction. It is considered that with appropriate mitigation in place, the proposal will not have any adverse effects on local ecology.

Noise - it is anticipated that noise levels in the vicinity of the station will increase during construction and operation. However it is anticipated that the noise levels would not increase to levels significantly greater than those already generated by the existing railway line and the M5 motorway which is less than 250m to the east.

Air Quality - it is considered that the proposal will have no adverse effect on the local air quality, and in fact, by encouraging a modal shift in transport habits, from the use of the motor vehicle to the train, a small improvement in air quality is anticipated locally.

Flooding and Water Quality - the site is not located within any Flood Zones, however it is within a groundwater source protection zone, which could potentially be contaminated during construction. By ensuring best practice measures are in place, the risk of a pollution event is significantly reduced, ensuring local water quality is maintained.

Contaminated land - ground investigations have been undertaken, and no evidence of significant contamination has been found at the site.

Surrounding Amenity - there are residential properties within the vicinity of the site, to the west, however the location of the proposed station has been selected to minimise effects on these properties. They will not be directly overlooked by the station as it will be located adjacent to an area of amenity open space. No significant adverse effects on surrounding properties are therefore anticipated.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance: National Planning Policy Framework

Section 4 - Promoting Sustainable Transport

Exeter Local Development Framework Core Strategy

- CP9 - Transport
- CP15 - Sustainable Construction
- CP17 - Design and Local Distinctiveness
- CP18 - Infrastructure
- CP19 - Strategic Allocations

Exeter Local Plan First Review 1995-2011

- KP8 - Newcourt Area
- H3 - Housing Sites
- T1 - Hierarchy of Modes
- T3 - Encouraging Use of Sustainable Modes
- T5 - Cycle Route Network
- T10 - Car Parking Standards
- LS1 - Landscape Setting

EN5 - Noise
DG1 - Objectives of Urban Design
DG7 - Crime Prevention and Safety

Newcourt Masterplan adopted November 2010 which in the transport section states that:-

Rail use is considered to have the greatest potential to reduce the level of private car use at Newcourt. Land will be safeguarded for a new rail halt on the Exeter to Exmouth line within the Masterplan area. A new rail line crossing will be provided at this point. Pedestrian and cycle connections to the halt through the Masterplan area shall be provided.

OBSERVATIONS

Development Plan support for the provision of a new railway station in this location is contained within Policy CP19 of the Exeter Core Strategy, Policy KP8 of the Exeter Local Plan First Review and the Newcourt Masterplan. The National Planning Policy Framework in paragraph 196 states that '*... planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.*' Currently only the land west of the station is being developed, this being an expanding residential area which forms part of the Newcourt strategic allocation. Good permeability for pedestrians and cyclists means that the station will be easily accessible by these modes from a large number of homes. The station will also be within easy reach of the strategic cycling route and bus service in the area. It is not considered likely to attract car-borne passengers, being relatively inaccessible by car from the wider road network. Parking provision is therefore limited to four spaces for disabled users, as well as a set of covered cycle stands. Devon County Council are proposing to upgrade the existing path parallel with the railway to provide an improved route to and from Sandy Park stadium, away from properties in Liberty Way. The land on the eastern side of the railway also forms part of the strategic allocation, and Policy CP19 envisages a pedestrian and cycle crossing of the line. A subway rather than a bridge is proposed because of the difference in levels either side of the railway which would make the bridge visually intrusive. Although included in the planning application, the subway will not be constructed until the land on the eastern side of the railway is developed. Consequently given this context of conformity with the development plan, it is the site specific elements of the scheme which require further comment.

The construction of the station will mainly be contained within the railway's operational land which is on the eastern side of the existing footpath adjacent to the track. However the extent of the platform, future subway and associated facilities will necessitate the loss of a number of existing trees. The removal of several existing oak trees and a large sycamore tree in this location is regrettable as they present an attractive feature within the immediate and wider surrounding area. However it is accepted that in operational terms this site is the most appropriate location for the new station and this supported by the relevant development plan policies. Accordingly it is important that the proposed replanting is substantial to compensate for this loss. The submitted landscape scheme shows replanting with a mixture of standard to extra standard silver birch and oak trees which are to be located within the existing open space. This level of planting is considered to provide sufficient cover in the future to compensate for the short term loss of existing trees. The landscape plan does indicate that some existing oak and silver birch trees will be retained adjacent to the main entrance into the station. It is important that these trees are safeguarded to ensure the successful integration of the facility into the area and provide a level of immediate screening of the station from residents living in Liberty Way.

The character of the area is enhanced by the existing area of public open space located to the west of the proposed station. It is considered that the proposed tree planting will enhance the visual quality of the area and help to screen the facility from wider views. Accordingly any erosion of this open space should be carefully considered. It is accepted that an element of disabled parking is necessary for the station and this will be important to ensure the existing residents in the area, do not suffer from parking problems. However the proposed parking

area for four cars appear excessive, over-engineered and does not appear well integrated into the area. It is therefore considered that this area should be redesigned with a reduced footprint with appropriate landscaping and boundary treatment. As submitted the parking proposed would represent an unacceptable intrusion into this area of public open space.

The location of the station has previously been identified in the Newcourt Masterplan which was adopted prior to the development of the existing houses, which are now occupied closest to the site. Accordingly residents in the immediate vicinity may have been aware a station would be built in the future in this location. However at the time of purchase no details of the station in terms of platform/ subway location, parking area, cycle shelters, lighting columns and footpath location would have been available and therefore it is important that residents do not suffer undue loss of amenity as a result of this detailed scheme. The proposed lighting has been assessed by the Environmental Health officer and considered to be acceptable given its relation to residential properties. It is considered that the proposed planting will help to minimise the visual impact of the station and as previously stated subject to the redesign of the parking area the character and appearance of the public open space will be retained. In addition, the planting will be beneficial to help mitigate the appearance of the station and associated lights when seen from wider views given its ridgeline location. In general, the construction of the station will not result in development coming closer to residential properties than the existing railway line. However the future construction of the subway will result in the loss of existing trees which as a group form an important landscape feature in the area. In addition, the diversion of the footpath will be relocated approximately 3 metres closer to properties in Liberty Way. It is therefore important that significant planting is provided in this location. Whilst it is accepted that some replanting has already occurred in this location, it is considered that the submitted plans are insufficient in detail to ensure that an effective landscape screen will be maintained in the future.

In summary, it is considered that the provision of substantial landscaping to compensate for the loss of existing mature vegetation will help to integrate the station within the area. This is considered important as the site can be viewed from wider areas to the east as well as from more immediate views from Liberty Way and Jack Sadler Way in particular. Details are required of the additional landscaping particularly adjacent to the proposed subway, the proposed surfacing and boundary treatments adjacent to the platform. Galvanised fencing would not be acceptable in this location given the proximity to residential properties and therefore a powder coated fencing detail would be more appropriate. In addition, a redesign of the parking area is required. However subject to these matters being addressed the station would represent an acceptable scheme which is supported by development plan policies.

WESTERN AREA WORKING PARTY

5 June 2013 - Members were advised that the application from Devon County Council would be reported to Planning Committee with a recommendation of no objection subject to issues of details, particularly in relation to landscaping.

RECOMMENDATION

That the City Council raise **NO OBJECTION** subject to a further detailed condition being imposed in respect of landscaping adjacent to the proposed subway and boundary treatment and a condition ensuring no public audible information system is provided. In addition a revision to the submitted parking layout is required.

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

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Agenda Item 7

ITEM NO. 7

COMMITTEE DATE: 24/06/2013

APPLICATION NO: 13/3101/03 FULL PLANNING PERMISSION
APPLICANT: Mr A Rapley
PROPOSAL: Erection of summer house in garden
LOCATION: Orchard Bungalow, Ludwell Lane, Exeter, EX2 5AQ
REGISTRATION DATE: 17/04/2013
EXPIRY DATE: 12/06/2013



Scale 1:3000

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HISTORY OF SITE

09/2052/03 - Ground floor extension on north east and south west elevations PER 02/02/2010

DESCRIPTION OF SITE/PROPOSAL

Orchard Bungalow is a single storey detached property. It is located to the north of Ludwell Lane and is within the Ludwell Valley Park and an area designated as a Site of Local Interest for Nature Conservation. A cycle route runs along Ludwell Lane. Orchard Bungalow is set within a spacious site with a road frontage of some 80 metres. The property is located in the northern corner of the site and is thus set well back from the Ludwell Lane which borders the site along the south western and south eastern boundaries. The property is accessed via a long single track drive which also serves a range of outbuildings located adjacent to the main house. The site has a gentle gradient from north to south.

The proposal is for a summer house (3.5m x 4.5m x 2.43m in size). It will have timber tongue and groove walls with bitumen black shingles for the roof covering. It will be located approx. 10m from the main house within the grounds of the property but within reasonable proximity of the main building and outbuildings.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Specification of the Summerhouse.

REPRESENTATIONS

None received.

CONSULTATIONS

None received

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance
NPPF - National Planning Policy Framework

Exeter Local Development Framework Core Strategy
CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011
DG4 - Residential Layout and Amenity
DG1 - Objectives of Urban Design
L1 - Valley Parks
LS1 - Landscape Setting

Exeter City Council Supplementary Planning Document

OBSERVATIONS

Although located within the Valley Park and a Site of Local Interest for Nature Conservation the works proposed would not cause harm to them, their setting or to any mature trees located within this site. Policies L1 and LS4 have been given due consideration and it is not considered that there would be any detrimental impact upon the ecological, environmental and recreational value of the area.

Policy DG1 of the Exeter Local Plan states that development should be compatible with the area within which it is located. It should promote the existing character, relate well to surrounding buildings and spaces and ensure that all designs promote local distinctiveness and contribute positively to the visual richness and amenity of the area. This is supported by Policy CP17 of the Core Strategy that requires all proposals to complement and enhance Exeter's character and local identity. The proposal presented is a modest single storey building constructed in materials compatible with the setting. In compliance with Policy DG4(b) of the Exeter Local Plan, the proposal presented does not adversely impact on the quality of amenity currently enjoyed by neighbouring residential properties.

For this reason the proposal is recommended for approval.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 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 17 April 2013 (*dwg. no(s). Plan 1, Plan 2, Plan 3, Plan 4, Plan 4 Continued*), as

modified by other conditions of this consent.

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

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

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**EXETER CITY COUNCIL
PLANNING COMMITTEE
24 JUNE 2013**

PLANNING DECISIONS AND WITHDRAWN APPLICATIONS

1 PURPOSE OF REPORT

1.1 This report lists planning applications determined and applications that have been withdrawn between the date of finalising the agenda of the last Planning Committee and the date of finalising this agenda. Applications are listed by ward.

1.2 The latter part of the application reference number indicates the following type of application:

- 01 Outline Planning Permission
- 02 Approval of Reserved Matters
- 03 Full Planning Permission
- 04 Works to Tree(s) with Preservation Order
- 05 Advertisement Consent
- 06 Works to Tree(s) in Conservation Area
- 07 Listed Building Consent
- 08 Circular 18/84
- 14 Demolition in Conservation Area
- 16 Exeter City Council Regulation 3
- 17 Lawfulness of Existing Use/Development
- 18 Certificate of Proposed Use/Development
- 21 Telecommunication Apparatus Determination
- 25 County Matter Application
- 26 Devon County Council Application
- 27 Modification and Discharge of Planning Obligation Regulations
- 37 Non Material Amendment
- 38 Extension to Extant Planning Consent

1.3 The decision type uses the following codes

- DTD Declined To Determine
- NLU Was Not Lawful Use
- PAN Prior Approval Not Required
- PAR Prior Approval Required
- PER Permitted
- REF Refuse Planning Permission
- RNO Raise No Objection
- ROB Raise Objections
- SPL Split Decision
- WDN Withdrawn by Applicant
- WLU Was Lawful Use
- WTD Withdrawn - Appeal against non-determination

1.4 Members are requested to advise the Senior Area Planning Officer (Roger Clotworthy) or Assistant Director City Development (Richard Short) of any questions on the schedule prior to the meeting of the Planning Committee.

2. RECOMMENDATION

2.1 That this report be noted.

**RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT**

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Exeter City Council

24/06/2013

All Planning Decisions Made and Withdrawn Applications Between 9/5/2013 and 12/6/2013

Application Number: 13/3066/29 **Working Party Date:** 29/04/2013
Decision Type Raise No Objection **Decision Date:** 29/05/2013 DEL
Location: Land south of Moonhill Copse West Clyst, Exeter
Proposal: Erection of 35 dwellings (including up to 14 affordable units) access and associated infrastructure (all matters reserved except access)

ALPHINGTON

Application Number: 13/2654/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/05/2013 DEL
Location: 12 Wheatsheaf Way, Exeter, EX2 8RQ
Proposal: Porch on front elevation

Application Number: 13/0117/03 **Working Party Date:** 26/03/2013
Decision Type Permitted **Decision Date:** 20/05/2013 DEL
Location: Briars Cottage, Crabb Lane, Exeter, EX2
Proposal: Rebuilding of existing greenhouse and potting shed

Application Number: 13/0135/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/05/2013 DEL
Location: Quay Climbing Centre, Haven Road, Exeter, EX2 8AX
Proposal: First floor extension into redundant space of adjoining building

Application Number: 13/0158/03 **Working Party Date:** 30/04/2013
Decision Type Permitted **Decision Date:** 20/05/2013 DEL
Location: 1 Ashton Road, Marsh Barton Trading Estate, Exeter, EX2 8LU
Proposal: Change of use from retail to retail and indoor play area

Application Number: 13/2808/03 **Working Party Date:** 01/05/2013
Decision Type Permitted **Decision Date:** 13/05/2013 DEL
Location: Blessed Sacrament Church, 29 Fore Street, Heavitree, Exeter, EX1 2QJ
Proposal: Widening of existing vehicle access

MINCINGLAKE

Application Number: 13/0206/20 **Working Party Date:**
Decision Type Prior Approval Not Required **Decision Date:** 15/05/2013 DEL
Location: Goffin Way, Land south of Probus Stud Farm, Church Hill, Pinhoe, Exeter, EX4
Proposal: Two agricultural barns

Application Number: 13/2872/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/05/2013 DEL
Location: Wilkies Food Store, 92-98, Beacon Lane, Exeter, EX4 8LU
Proposal: Replacement automated entrance door and two shop front windows

Application Number: 13/2966/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/05/2013 DEL
Location: 92-98 Beacon Lane, Exeter, EX4 8LU
Proposal: Externally illuminated fascia sign, non illuminated and internally illuminated projecting signs, poster cases (3) and window vinyls (8)

Application Number: 13/2975/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/05/2013 DEL
Location: 92-98 Beacon Lane, Exeter, EX4 8LU
Proposal: Alterations to outer building including installation of lift and stairs

Application Number: 13/0211/03 **Working Party Date:** 29/04/2013
Decision Type Permitted **Decision Date:** 21/05/2013 DEL
Location: Cheynegate Cottage, Cheynegate Lane, Exeter, EX4 9HZ
Proposal: Replacement dwelling with detached garage, relocation of bridleway and change of use of land from agriculture to domestic garden

Application Number: 13/2931/16 **Working Party Date:** 03/06/2013
Decision Type Permitted **Decision Date:** 03/06/2013 DEL
Location: Open Space, Bennett Square, Exeter, EX4
Proposal: Erection of two new residential terraces each containing three 3-bedroom houses plus car parking and access.

NEWTOWN

Application Number: 13/2800/03 **Working Party Date:** 01/05/2013
Decision Type Permitted **Decision Date:** 16/05/2013 DEL
Location: 1-16 Magdalen Cottages, Magdalen Road, Exeter, EX2 4SX
Proposal: Rebuilding of rear extensions

Application Number: 13/2801/07 **Working Party Date:** 01/05/2013
Decision Type Permitted **Decision Date:** 16/05/2013 DEL
Location: 1-16 Magdalen Cottages, Magdalen Road, Exeter, EX2 4SX
Proposal: Demolition and rebuilding of rear extensions and internal alterations

Application Number: 13/2806/03 **Working Party Date:** 01/05/2013
Decision Type Permitted **Decision Date:** 20/05/2013 DEL
Location: 30 Portland Street, Exeter, EX1 2EQ
Proposal: Change of use from dwelling (Class C3) to House in Multiple Occupation (Class C4)

Application Number: 13/2911/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/05/2013 DEL
Location: O/S 181 Sidwell Street, Exeter, EX4 6RE
Proposal: One double advertising panel including one static advert on the outside and three scrolling adverts on the inside of bus shelter

PENNSYLVANIA

Application Number: 13/2907/03 **Working Party Date:** 29/04/2013
Decision Type Permitted **Decision Date:** 17/05/2013 DEL
Location: 84 Union Road, Exeter, EX4 6HT
Proposal: Decking in rear garden.

Application Number: 13/2908/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 17/05/2013 DEL
Location: 84 Union Road, Exeter, EX4 6HT
Proposal: Erection of timber building in rear garden.

Application Number: 13/2783/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/05/2013 DEL
Location: 7 Clevedon Close, Exeter, EX4 6HQ
Proposal: Extension to balcony

Application Number: 13/3160/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 07/06/2013 DEL
Location: 67 Florida Drive, Exeter, EX4 5EX
Proposal: Lower ground floor extension.

PINHOE

Application Number: 13/2857/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/05/2013 DEL
Location: 65 Langaton Lane, Exeter, EX1 3SP
Proposal: Raising of roof and alterations to outbuilding to create office accommodation.

Application Number: 13/3026/38 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/06/2013 DEL
Location: 57 Harrington Lane, Exeter, EX4 8NY
Proposal: Replacement detached double garage, two storey extension on south elevation and ground floor extension on east elevation (Renewal of Planning Permission 10/0413/03 granted 13 May 2010).

Application Number: 12/1295/03 **Working Party Date:** 10/12/2012
Decision Type Permitted **Decision Date:** 06/06/2013 DEL
Location: Land adj, Cotmead, 58 Langaton Lane, Exeter, EX1 3SL
Proposal: Two semi detached dwellings with detached garages and associated works

Application Number: 13/3437/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 07/06/2013 DEL
Location: Former Ibstock Brickworks Site, land off Harrington Lane, Exeter, EX4 8DT
Proposal: Moving electricity substation 5m west of nearest building (Non Material Minor Amendment for Planning Permission Ref No.11/1800/03 granted 4 July 2012)

Application Number: 13/3076/03 **Working Party Date:** 03/06/2013
Decision Type Permitted **Decision Date:** 10/06/2013 DEL
Location: 43 Chancel Lane, Exeter, EX4 8PZ
Proposal: Ground floor rear extension

Application Number: 13/0236/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 13/05/2013 DEL
Location: Land off, Hill Barton Road, Exeter, EX1
Proposal: Non illuminated hoarding

Application Number: 13/2927/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 14/05/2013 DEL
Location: 17 Fairview Terrace, Exeter, EX1 3SQ
Proposal: Ground floor extension to rear tenement

POLSLOE

Application Number: 13/2852/03 **Working Party Date:** 01/05/2013
Decision Type Refuse Planning Permission **Decision Date:** 17/05/2013 DEL
Location: 101 Pinhoe Road, Exeter, EX4 7HU
Proposal: Change of use from small house in multiple occupation (Class C4) to large house in multiple occupation (sui generis) (7 bedrooms)

Application Number: 13/3011/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 04/06/2013 DEL
Location: 46 Hamlin Lane, Exeter, EX1 2SD
Proposal: Single storey lean-to extension on side elevation.

PRIORY

Application Number: 13/0132/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/05/2013 DEL
Location: Wonford House Hospital, Dryden Road, Exeter, EX2 5AF
Proposal: Portable buildings

Application Number: 13/2895/03 **Working Party Date:** 01/05/2013
Decision Type Permitted **Decision Date:** 21/05/2013 COM
Location: 206 Topsham Road, Exeter, EX2 6AA
Proposal: Change of use from Retail (A1) to Tattooist (Sui Generis) in addition to Retail (A1)

Application Number: 13/3005/03 **Working Party Date:** 01/05/2013
Decision Type Permitted **Decision Date:** 24/05/2013 DEL
Location: 41 Wonford Street, Exeter, EX2 5DQ
Proposal: Detached dwelling, alterations to access and associated works

Application Number: 13/2928/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 04/06/2013 DEL
Location: 3 Wear Barton Road, Exeter, EX2 7EH
Proposal: Erection of garage & ground floor extension

Application Number: 13/3045/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/06/2013 DEL
Location: 41 Wonford Street, Exeter, EX2 5DQ
Proposal: Demolition of garage

Application Number: 13/3074/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/06/2013 DEL
Location: Countess Wear House, Countess Wear Road, Exeter, EX2 6LR
Proposal: Swimming pool, hot tub and sauna within courtyard

Application Number: 13/3075/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/06/2013 DEL
Location: Countess Wear House, Countess Wear Road, Exeter, EX2 6LR
Proposal: Swimming pool, hot tub and sauna within courtyard

Application Number: 13/3086/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 11/06/2013 DEL
Location: 3 Ellards Close, Exeter, EX2 6AH
Proposal: Conservatory on rear elevation

Application Number: 13/2765/03 **Working Party Date:** 01/05/2013
Decision Type Permitted **Decision Date:** 09/05/2013 DEL
Location: 3 The Barton, Mill Road, Exeter, EX2 6LJ
Proposal: Detached dwelling, parking and associated works

Application Number: 13/2894/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 14/05/2013 DEL
Location: Wonford House Hospital, Dryden Road, Exeter, EX2 5AF
Proposal: New partitions to create single bedrooms with en suites for Haldon Unit

ST DAVIDS

Application Number: 13/0153/03 **Working Party Date:** 29/04/2013
Decision Type Permitted **Decision Date:** 15/05/2013 DEL
Location: 32-33 Gandy Street, Exeter, EX4 3LT
Proposal: Change of use from pavement to outside seating area for 4 tables and 8 chairs.

Application Number: 13/0215/03 **Working Party Date:** 30/04/2013
Decision Type Permitted **Decision Date:** 16/05/2013 DEL
Location: 88 South Street, Exeter, EX1 1EQ
Proposal: Change of use from shop/financial and professional services to restaurant and installation of extraction system

Application Number: 13/0241/03 **Working Party Date:** 30/04/2013
Decision Type Permitted **Decision Date:** 20/05/2013 DEL
Location: 5 Cathedral Yard, Exeter, EX1 1HJ
Proposal: Change of use from highway to outdoor seating for 6 tables and 24 chairs

Application Number: 13/2843/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/05/2013 DEL
Location: 6 Little Silver, Exeter, EX4 4HU
Proposal: Alterations to window and doors on rear elevation and internal alterations to attic room

Application Number: 13/2940/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/05/2013 DEL
Location: 82 South Street, Exeter, EX1 1BZ
Proposal: Change of use from financial and professional services to sun bed shop

Application Number: 13/3220/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/05/2013 DEL
Location: 8 Guildhall Shopping Centre, Exeter, EX4 3HP
Proposal: Internally illuminated fascia sign on rear elevation

Application Number: 12/1364/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 22/05/2013 DEL
Location: 88 Queen Street, Exeter, EX4 3RP
Proposal: Change of use from pavement to outside seating

Application Number: 13/3302/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 23/05/2013 DEL
Location: 234 High Street, Exeter, EX4 3NL
Proposal: Internally illuminated A0 landscape internal window poster.

Application Number: 13/3183/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/05/2013 DEL
Location: 11 Matford Avenue, Exeter, EX2 4PW
Proposal: Various amendments to small windows on ground floor, dormer window, first floor double doors, suntunnels and landscaping (Non Material Minor Amendments to Planning Permission Ref No. 12/0859/03 granted 24 September 2012)

Application Number: 13/0123/26 **Working Party Date:** 26/02/2013
Decision Type Raise No Objection **Decision Date:** 20/05/2013 DEL
Location: St Leonards Church of England Primary School, St. Leonards Road, Exeter, EX2 4NQ
Proposal: Remodelling and extending some existing classrooms and school hall, new stand-alone single storey 8 classroom block and resurfacing existing MUGA with associated access routes

Application Number: 13/2932/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/05/2013 DEL
Location: 28 St. Leonards Avenue, Exeter, EX2 4DL
Proposal: First floor rear extension

Application Number: 13/2926/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 21/05/2013 DEL
Location: 7 West Grove Road, Exeter, EX2 4LU
Proposal: Dormer on rear elevation

Application Number: 13/2985/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/05/2013 DEL
Location: Matworthy, Deepdene Park, Exeter, EX2 4PH
Proposal: Tree Species Work
 T1 Norway Maple Fell
 T2 -6 Norway Maple Remove dead wood over 25mm and broken branches

Application Number: 13/2946/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 24/05/2013 DEL
Location: 1 Claremont Grove, Exeter, EX2 4LY
Proposal: Demolition of greenhouse

Application Number: 13/3374/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 06/06/2013 DEL
Location: R/O, 105 Sweetbrier Lane, Exeter, EX1 3AP
Proposal: Rear dormer and hip-to-gable extension.

Application Number: 13/3132/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 12/06/2013 DEL
Location: 104 Whipton Barton Road, Exeter, EX1 3PN
Proposal: Certificate of Lawfulness of one and two storey extensions and dormer window on rear elevation.

Application Number: 13/3033/37 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 09/05/2013 DEL
Location: Land off, Hill Barton Road, Exeter, EX1
Proposal: Amendment to Plot 3 from approved house type H408 to house type T322 and for Plots 13 and 33 replacement of house type H526 to a revised version re-titled H546 (Non Material Minor Amendment for planning Permission Ref No. 12/0666/02 granted 19 October 2012)

Total Number of Decisions Made: **107**

Local Government (Access to Information) 1985 (as amended)

Background papers used in compiling the report:

Files of Planning Applications available for inspection from:

Planning Services, Exeter City Council, Civic Centre, Paris Street, Exeter EX1 1NN

Telephone No: 01392 265223

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EXETER CITY COUNCIL

PLANNING COMMITTEE 24 JUNE 2013

ENFORCEMENT PROGRESS REPORT

1.0 PURPOSE OF REPORT

1.1 To update Members on enforcement matters.

2.0 CASES OPENED AND CLOSED BETWEEN 25 FEBRUARY 2013 AND 28 MAY 2013.

Cases opened: 19

Cases closed: 10

Outstanding number of cases: 86

3.0 NOTICES ISSUED

3.1 None.

4.0 NOTICES COMPLIED WITH

4.1 None.

5.0 CURRENT APPEALS

5.1 ENF/12/4 – 4 Dart Walk, Exeter – Enforcement Notice issued on 11 February 2013 against the removal of two “up and over” garage doors on the western elevation of the double garage and their replacement with French windows. The Notice took effect on 21 March 2013 and gave a period of three months for compliance.

5.2 An Enforcement Notice appeal was submitted on 20 March 2013 and is being dealt with by written representations. A date for the Inspector’s site visit is awaited.

6.0 ENFORCEMENT APPEAL DECISIONS

6.1 None.

7.0 OTHER ISSUES

7.1 ENF/11/87 – Former Showman Public House, 54 Cowick Street, Exeter - A number of complaints have been received by the Local Planning Authority over the last eighteen months regarding refurbishment works taking place at the premises and detrimental effect of the graffiti upon the character and appearance of the grade II listed building and the surrounding Conservation Area.

7.2 The Council entered into discussions with the new leaseholder of the premises in October last year with a view to formalising the proposed new use of the building and improving the external appearance. Works commenced in February 2013 to remove the graffiti on the exterior of the

premises and was completed in April 2013. It is anticipated that the premises will open as a restaurant and takeaway in the near future; a planning application for the takeaway use has been submitted to the Council.



7.3 ENF/11/58 – 19 New North Road, Exeter – The trial of the two defendants responsible for the removal of two copper beech trees located within the St David’s Conservation Area commenced on 18 March 2013 at the Exeter Crown Court. The trial was expected to last for two days.

7.4 The Judge raised concerns that the two defendants had not provided any expert evidence in support of their case. Further, the Judge did not consider that sufficient time had been allocated to the trial, as matters may be more complex as the defendants do not have legal representation.

7.5 The Judge adjourned the trial in order that the defendants may have the opportunity to obtain expert evidence in support of their case. The trial will now commence on 25 November 2013 and is expected to last for five days.

8.0 RECOMMENDATION

8.1 That this report be noted.

**RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT**

Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report: none.

EXETER CITY COUNCIL

PLANNING MEMBER WORKING GROUP 11 JUNE 2013

PLANNING COMMITTEE 24 JUNE 2013

SECTION 106 AGREEMENTS

1 PURPOSE OF THE REPORT

- 1.1 To update on the progress of implementing Section 106 agreements and on the expenditure of financial contributions received. Members are requested to advise the Senior Area Planning Officer (Roger Clotworthy) or the Assistant Director, City Development (Richard Short) of any questions on the schedule prior to the meeting of the Planning Committee.

2 BACKGROUND

- 2.1 This report has been prepared to advise Members of the progress achieved between 1 April 2012 and 31 March 2013 in the collection and expenditure of financial contributions made by developers toward the provision of the community facilities and services required to accommodate development.
- 2.2 The report covers all planning obligations arising from development proposals in the City that require financial payments by developers.
- 2.3 Progress in relation to each agreement is summarised within the attached tables (Appendix 1). These are divided by service function and stage of payment (either expected or received). Obligations where the trigger stage for payment in the development process has not yet been reached are included.
- 2.4 It should be noted that funds held for maintenance of public open space are paid directly into a special account. A sum of 5% of the accumulated total (including interest) is added to the Parks and Open Spaces Manager's budget each year.
- 2.5 Where the amount on account or amount spent exceeds the principal amount required, this is attributable either to indexing, interest, or a combination of the two.

3 PERFORMANCE

- 3.1 Total contributions of £1,187,213.80 were received between 1 April 2012 and 31 March 2013 (Table 19). £1,089,411.15 was collected towards affordable housing and £55,000 in relation to community and leisure schemes. £35,802.75 was collected towards environmental enhancements, and £ 7000 in relation to a scheme for a traffic order.
- 3.2 Financial contributions spent are shown in Table 20. £40000 was spent on affordable housing, £88333.24 on community and leisure projects, £26,432.01 on environmental enhancement schemes, and £12809.88 towards the implementation of City Centre Local Energy Network scheme. £58,898.50 was spent by Devon County Council on highway schemes.
- 3.3 The Council is working towards the introduction of a Community Infrastructure Levy (CIL). CIL is the mechanism that the government intends for planning authorities to use

in helping to provide area wide or strategic infrastructure such as schools, flood defences, leisure facilities and transport improvements. Whilst section 106 agreements might have historically been used to secure such city-wide improvements, the rules on their use have been tightened. In practice, this means affordable housing and other site related works and improvements that are needed to secure planning permission will be secured through section 106 agreements, with wider infrastructure improvements contributed through CIL.

4 ADVICE SOUGHT

4.1 That Members note the report.

RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling the report: -

Application files referred to in report.

Available for inspection from: -

City Development, Civic Centre, Paris Street, Exeter (01392) 265223

TO VIEW ATTACHED TABLES – GO TO VIEW/ROTATE VIEW

Index of Tables within Section 106 Agreement Report

- Table 1: Affordable Housing – Money Expected
- Table 2: Affordable Housing – Money Received
- Table 3: Community and Leisure – Money Expected
- Table 4: Community and Leisure – Money Received
- Table 5: Education – Money Expected
- Table 6: Education – Money Received
- Table 7: Environmental Enhancements – Money Expected
- Table 8: Environmental Enhancements – Money Received
- Table 9: Open Space Maintenance – Money Expected
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- Table 11: Social Services & Health – Money Expected
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- Table 13: Highways and Transport – Money Expected
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- Table 15: Local Energy Network – Money Expected
- Table 16: Local Energy Network – Money Received
- Table 17: Exe Estuary Management Plan – Money Expected
- Table 18: Exe Estuary Management Plan – Money Received
- Table 19: Financial Contributions Received between 1 April 2012 and 31 March 2013
- Table 20: Financial Contributions Spent between 1 April 2012 and 31 March 2013
- Table 21: Sites Being Monitored

Table 1: Section 106 Affordable Housing – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Due when	Due	Notes
09/0832/01	St Loyes Foundation, Topsham Road	Helical (Exeter) Ltd.	Pay affordable housing contribution.	£0.00	£5,650,000.00	£300,000 on implementation, £3.5m 20 months after implementation, £462,500 prior to completion of 145 open market dwellings, £693,750 prior to completion of 160 OM dwellings, £693,750 prior to completion of 180 OM dwellings.	NO	Outline permission only. Reserved matters approved under 10/1893/02.
10/1247/01	Orchard House, Deepdene Park.	Mr & Mrs Macan	Payment of an affordable housing contribution.	£0.00	£69,479.00	Within 28 days after occupation of the second dwelling.	NO	Outline permission only.
11/0787/01	St Loyes Foundation, Topsham Road	Helical (Exeter) Ltd.	Payment of an affordable housing contribution.	£0.00	£2,003,617.00	£667,872 (index linked) on completion of 15 open market dwellings, £667,872 (index linked) on completion of 35 open market dwellings, £667,872 (index linked) on completion of 50 open market dwellings.	NO	Payment not required if the equivalent payment is made pursuant to the S106 agreement of 23/09/2010. Any part unspent to be returned after 10 years.
12/0248/03	Magdalen House, 54/56 Magdalen Road	Devon County Council	Payment of an affordable housing contribution.	£0.00	£125,000.00	Within 28 days of occupation of the fourth dwelling in the development.	NO	
12/0988/03	Former University of Plymouth, Earl Richards Rd N	University of Plymouth	Payment of a contribution towards off-site affordable housing.	£0.00	£869,707.00	50% on or before occupation of 15th dwelling, 50% on or before occupation of the 30th dwelling.	NO	

Table 2: Section 106 Affordable Housing – Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied?	Notes	Money spent?
02/1845/03	Central Station Yard, Queen St.	Bellway Homes Ltd	Contribution towards affordable housing in Exeter. ECC has option to index it according to the average sale price of a terraced house in Exeter according to Land Registry data. Repayable if uncommitted within 5 years	£228,677	£633,000 (£836,525.26 including interest)	£607,848.07	YES	150+ homes created as at 23 March 2011 (£718,224) including: 2006/07: £55,641 spent providing 2 rented homes; 2007/08: £202,000 spent providing 3 rented and 1 shared ownership homes; £50,000 transferred to general fund for Extra let schemes. 2008/09 £100,000 to general fund for landlord incentives to create private sector tenancies (LetStart); 27 lettings created; £41,583 to general fund for Housing Association tenants' downsizing incentives; 10+ family-sized voids created; £10,000 to general fund for enabling affordable housing through the STEPS project in partnership with ECI; £30,000 transferred to general fund for ExtraLet schemes; 90 homes tenanted 2009/10 £5,000 to Exeter Community Initiatives (ECI) to re-house ex offenders through PORCH 2010/11 £20,000 transferred to general fund for private sector rented deposits through Smartmove £204,000 allocated to contract to provide 21 affordable homes on Council Owned Infill sites at Merlin Crescent (18) and Sivel Place (3). Remainder of monies is all committed to related Affordable Housing Projects.	NO
08/0165/03	137 & 137A Cowick Street	McCarthy and Stone (Developments) Ltd	Pay an affordable housing contribution.	£1,089,411	£1,073,066	£0.00	YES	This agreement replaces the previous agreement dated 16/06/2008 which now ceases to have effect. Contribution to be used to fund Council's own build.	NO

Table 3: Section 106 Community and Leisure – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount outstanding	Due when	Due	Notes
07/1213/01	Chancel Lane	Taylor Wimpey	Payment of an additional contribution for improvements to Harrington Lane play area.	£0.00	£30,000.00	£0.00	On the date of the agreement (26/04/2013)	YES	Invoice sent.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Provision of play equipment, railings and gates etc within play area	£0.00	Up to £68305	Up to £68305	Upon the Council issuing an approval certificate for the open space in the Parcel of land specified in the MP containing the Play Area.	NO	
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a community facility contribution	£0.00	£145,625.00	£145,625.00	Phased payments.	NO	There are 3 separate agreements which apply to 3 separate Sites under one application 07/2169/01 for outline planning permission.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of an indoor leisure contribution	£0.00	£157,042.00	£157,042.00	Phased payments.	NO	As above.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a MUGA contribution	£0.00	£17,475.00	£17,475.00	Phased payments.	NO	As above.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a recycling contribution	£0.00	£5825.00	£5825.00	Phased payments.	NO	As above.

Table 3: Section 106 Community and Leisure – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount outstanding	Due when	Due	Notes
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a reserved car contribution	£0.00	£24,465.00	£24,465.00	Phased payments.	NO	As above.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a play area commuted sum	£0.00	£15,101.00	£15,101.00	Payable on transfer of the Parcel containing the Play Area.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a community facility contribution	£0.00	£92500.00	£92500.00	Phased payments.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of an indoor leisure contribution	£0.00	£99,752.00	£99,752.00	Phased payments.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a MUGA contribution	£0.00	£11,100.00	£11,100.00	Phased payments.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a play area contribution	£0.00	£35,224.00	£35,224.00	Phased payments.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a recycling contribution	£0.00	£3,700.00	£3,700.00	Phased payments.	NO	As above.

Table 3: Section 106 Community and Leisure – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount outstanding	Due when	Due	Notes
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a reserved car contribution	£0.00	£15,540.00	£15,540.00	Phased payments.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a play area commuted sum	£0.00	£3,717.00	£3,717.00	Phased payments.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a community facility contribution	£0.00	£250,625.00	£250,625.00	Phased payments.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of an indoor leisure contribution	£0.00	£270,274.00	£270,274.00	Phased payments.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a MUGA contribution	£0.00	£30,075.00	£30,075.00	Phased payments.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a recycling contribution	£0.00	£10,025.00	£10,025.00	Phased payments.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a reserved car contribution	£0.00	£42,105.00	£42,105.00	Phased payments.	NO	As above.

Table 3: Section 106 Community and Leisure – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount outstanding	Due when	Due	Notes
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a play area commuted Sum	£0.00	£23,232.00	£23,232.00	Phased payments.	NO	As above.
10/1840/01	Land off Hill Barton Road, Exeter	Hill Barton Devts LLP & others	Requires payment of an open space contribution of £440 per dwelling.	£0.00	£62,605.47	£62,605.47	On commencement of development.	YES	Commenced under 12/0666/02 (133 dwellings). Invoice sent April 2013.
10/2088/01	Land at Pinhoe Quarry, Harrington Lane.	Pinhoe Quarry LLP	Requires payment of a community facilities contribution of £625 per dwelling	£0.00	Up to £237,500	Up to £237,500	Prior to occupation of more than 50% of the dwellings	NO	Outline application. Contribution to be renegotiated as part of a new planning application.
10/2088/01	Land at Pinhoe Quarry, Harrington Lane.	Pinhoe Quarry LLP	Requires payment of a contribution for off-site Multi-use Games Area.	£0.00	£65,000.00	£65,000.00	Prior to occupation of more than 50% of the dwellings	NO	Outline application. Contribution to be renegotiated as part of a new planning application.
11/0140/03	Townsend Printers, Western Way	MREF Exeter Property Co. Ltd.	Requires payment of a contribution towards a new community centre in Belmont Park.	£7,500.00	£45,000.00	£37,500.00	£7,500 on commencement, £37,500 3 months after.	YES	
11/0140/03	Townsend Printers, Western Way	MREF Exeter Property Co. Ltd.	Requires payment of a contribution for improvements to Belmont Park.	£0.00	£5,000.00	£5,000.00	Prior to occupation.	NO	
11/0895/03	Portland House, Longbrook Street	Eaton Commercial Properties Exeter Ltd	Requires payment of a community contribution.	£0.00	£15,640.00	£15,640.00	Prior to commencement of development.	NO	Unlikely to proceed.

Table 3: Section 106 Community and Leisure – Money Expected

Planning App no.	Site	Developer	Requirement	Amount in a/c	Amount	Amount outstanding	Due when	Due	Notes
11/0787/01	St Loyes Foundath, Topsham Road	Helical (Exeter) Ltd.	Payment of a contribution towards playing fields works and improvements to Wonford Sports Centre (or works in lieu).	£0.00	£0.00	£250,000.00	No implementation until EITHER pp obtained for playing field works, contract for construction works approved and a bond paid, OR owner has confirmed that it will pay the playing fields contribution. Works to be completed or contribution paid prior to occupation of more than 39 open market dwellings.	NO	Payment not required if the equivalent payment is made pursuant to the S106 agreement of 23/09/2010. Any part unspent to be returned after 7 years.
11/0959/03	Kingfisher House/ Stag House, Western Way	Heritage Developm ts SW Ltd.	Requires payment of a community facilities contribution.	£0.00	£0.00	£20,000.00	Prior to occupation.	NO	Unlikely to proceed.
11/1800/03	Former Ibstock Brickworks Site, Harrington Lane	Redrow Homes Ltd	Payment of a contribution for additional or improved community facilities on or within a mile of the site.	£0.00	£0.00	£143,750.00	On occupation of 115th dwelling.	NO	To be spent within 5 years of the date on which it was paid.
12/0988/03	Former University of Plymouth, Earl Richards Rd N	University of Plymouth	Payment of a contribution towards improvements to Salmon Pool Lane play area.	£0.00	£0.00	£36,720.00	On or before occupation of the 20th dwelling.	NO	

Table 3: Section 106 Community and Leisure – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount outstanding	Due when	Due	Notes
12/0988/03	Former University of Plymouth, Earl Richards Rd N.	University of Plymouth	Payment of a contribution towards sports pitches.	£0.00	£0.00	£17,160.00	On or before occupation of the 20th dwelling.	NO	
12/0988/03	Former University of Plymouth, Earl Richards Rd N.	University of Plymouth	Payment of a contribution towards young persons recreational facilities	£0.00	£0.00	£11,152.00	On or before occupation of the 20th dwelling.	NO	
12/0988/03	Former University of Plymouth, Earl Richards Rd N.	University of Plymouth	Payment of a contribution towards indoor sports facilities.	£0.00	£0.00	£26,325.00	On or before occupation of the 20th dwelling.	NO	

Table 4: Section 106 Community and Leisure – Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Money spent
03/1611/01	County Ground	Bellway	Community Facilities Contribution. £300 per dwelling (100 dwellings + 53 supported)	£21,453.96	£45,900	£25,834.50	YES	New tarmac path provided from Old Vicarage Rd. entrance to the play area. Remainder to be spent improving the play area at Cowick Barton Playing Fields.	NO
06/1147/03	Episcopal Building and York Wing, Dinham Road	Justin Developments	Provide and maintain play equipment	£9,737.00	£18,000	£8,263.00	YES	Payment received in lieu of on-site provision. To be used at Looe Road. Play area improvements completed Summer 2012, further improvements likely Autumn 2013.	NO
07/1352/03	Beacon Avenue	Persimmon Homes	Contribution towards open space works	£68,311.00	£73,631.00	£5,320.00	YES	Received Spring 2012. Adoption completed and play area fencing and gates provided. Play equipment to be provided during 2013.	NO
07/1352/01	Beacon Avenue	Persimmon Homes	Pay a Community Facilities Contribution of £95,560	£95,560.00	£95,560.00	£0.00	YES	Various schemes under consideration including part use towards provision of improved tennis facilities at Heavitree Pleasure Ground.	NO
07/2633/03	88 Honiton Road	South West Communications	Contribution towards recreational infrastructure relevant to the development	£4,555.09	£4,220.00	£0.00	YES	Projects for expenditure being considered.	NO
07/2654/03	Oaklands (rear)	Trust Estate of Mrs P L Newbery	Contribution towards the costs of providing off-site leisure facilities to serve the Development	£12,336.00	£12,336.00	£0.00	YES	Contribution received August 2010. To be used within a wider scheme to provide new splashpark facility at St Thomas Pleasure Ground.	NO
08/0240/03	Apollo Works, Looe Road	R J Jennings	Pay a contribution of £2,600 towards maintenance and enhancement of Looe Road play area	£2,600	£2,600	£0.00	YES	Contribution received March 2011. To be used in "Phase 2" of Looe Road Play Area improvements during 2013.	NO
08/1476/03	Crossmead, Bartley Lane	Taylor Wimpey	Pay contribution of £80,000 relating to open space works	£80,000	£80,000	£0.00	YES	Contribution received August 2010. Landscaping work complete. Adoption of open space completed Spring 2013, final stage of public consultation to be conducted Summer 2013 and play equipment to be provided late 2013.	NO

Table 4: Section 106 Community and Leisure – Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Money spent
11/0140/03	Townsend Printers, Western Way	MREF Exeter Property Co. Ltd.	Requires payment of a contribution of £45,000 towards a new community centre in Belmont Park.	£7,500.00	£45,000.00	£0.00	Part	£7,500 received, £37,500 outstanding.	NO

Table 5: Section 106 Education -- Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Pay contribution towards the construction costs of the primary school on the site or if it is not to be built for the provision of primary educational facilities including the rebuilding of an existing primary school within a two mile radius of the site.	£0.00	£502,239.00	£0.00	On letting of contract.	NO Contract has not been let. Still in negotiation.
06/0452/03	Frickers Yard, Well Park, Willies A		Education contribution of £694.50 per dwelling of more than two bedrooms	£0.00	£9,028.50	£0.00	Upon first occupation or within 12 months of agreement (whichever is sooner)	NO. Land is now up for sale.
06/1365/03	28 Manor Road	South West Construction	Education Contribution	£0.00	£9,260.00	£0.00	Not later than development commencement Development commenced by virtue of construction of boundary wall on southern site boundary. DCC notified.	YES
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Education Contribution	£0.00	£1,575,193.00	£0.00	Phased payments.	NO
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Education Contribution	£0.00	£259,769.00	£0.00	Phased payments.	NO
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Education Contribution	£0.00	£2,465,042.00	£0.00	Phased payments.	NO
09/0417/03	R/o St Loyes Hotel, 12-14 Salters Rd	Heavitree Brewery PLC	Education Contribution	£0.00	£20,523.57	£0.00	Prior to the sale or occupation of the 4th dwelling on the site.	NO
10/2088/01	Land at Pinhoe Quarry, Harrington Lane.	Pinhoe Quarry LLP	Education contribution of £1,000 per dwelling with more than one bedroom.	£0.00	Up to £360,000	£0.00	50% of contribution to be paid prior to commencement of housing development. Balance to be paid before more than 50% of dwellings occupied.	NO. Applicant revising application due to viability.

Table 5: Section 106 Education – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due
11/0787/01	St Loyes Foundation, Topsham Road	Helical (Exeter) Ltd.	Payment to DCC of an education contribution.	£0.00	£51,126.76	£0.00	On completion of 20th dwelling or on 1st anniversary of implementation, whichever is earlier.	NO
11/1800/03	Former Ibstock Brickworks Site, Harrington Lane	Redrow Homes Ltd	Payment of an education contribution.	£0.00	£810,634.00	£0.00	50% on occupation of 20th dwelling. 50% on occupation of 120th dwelling.	NO
12/0806/01	Pilton House, Pilton Lane.	Messrs B Kaye and J Warren	Payment to DCC of an education contribution.	£0.00	£7,776.00	£0.00	Prior to commencement of development.	NO
12/0988/03	Former University of Plymouth, Earl Richards Rd N	University of Plymouth	Payment to DCC of an education contribution.	£0.00	£102,253.50	£0.00	50% before or on occupation of 10% of the dwellings, 50% before or on completion of 50% of the dwellings or within 12 months of the 1st payment, whichever is the earlier.	NO
12/1199/01	School House, Millbrook Lane	St Loyes Foundation	Education Contribution	£0.00	£12,384.00	£0.00	Prior to the commencement of development	NO

Table 6: Section 106 Education – Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Money spent
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	"...the provision of secondary educational facilities which are likely to be used by secondary school children residing on the property"	£348,459.00	£348,459.00	£0.00	YES	Full payment received.	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Carry out remediation of land for school with collateral warranties, and offer to DCC. Pay contribution towards provision of primary educational facilities including the rebuilding of a primary school within a two mile radius from the property and, if app	£803,581.00	£803,581.00	£0.00	PART	Contribution paid. Land offer not yet made.	NO
03/1611/01	County Ground	Bellway	Education Contribution. £1,122.50 per >1 bed dwelling (except retirement homes (no. 53) (90 dwellings).	£101,025.00	£101,025.00	£0.00	YES	Full payment received.	NO
04/2192/03	Monks Road	Persimmon Homes (South West) Ltd	Pay contribution to primary education.	£8,102.50	£8,102.50	£0.00	YES	Received 24/10/2005. Committed for use at Ladysmith Infants and Junior.	NO

Table 6: Section 106 Education – Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Money spent
05/0815/03	27-28 Cowick Street	Westrock Ltd	Pay £1389.00 towards West Exe Technology College. For use in accordance with DCC's Code of Practice on Education Contributions.	£1,389.00	£1,389.00	£0.00	YES	Committed to West Exe Technology College	NO
05/1408/03	Barley House, Isleworth Road		Pay contribution towards the provision of additional educational facilities required as a result of the Development.	£6,250.00	£6,250.00	£0.00	NO	Received 11/04/2007 - To be used at West Exe Technology College	NO
06/2486/03 and 06/2497/03	Land Adj. 60, Haven Road	Signpost HA	Secondary Education Contribution	£2,847.74	694.50 per dwelling of 2 or more beds	£0.00	YES	Received 10 Jan 2009 - To be used at West Exe Technology College	NO
08/1476/03	Crossmead Conference Centre, Barley Lane, Exeter, EX4 1TF	George Wimpey	Pay a contribution of £10,552 index linked to Devon County Council for education infrastructure	£10,552.00	£10,552.00	£0.00	YES	Received by DCC 30/10/09.	NO

Table 7: Section 106 Environmental Enhancements – Money Expected (No entries for 2012-2013)

Planning App. no	Site	Developer	Requirement	Amount in a/c	Amount	Due when	Due	Notes

Table 8: Section 106 Environmental Enhancements – Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Completed	Notes	Money spent
97/0459/03	19 Marsh Green Rd. Marsh Barton	Exeter Power Ltd	Tree planting and landscaping to the eastern side of the mainline railway abutting the development	£11,972.60	£14,205.00	£6,100.00	Upon Commencement of Development	YES	Received 08/01/2002. Planting proposals being drawn up to improve landscape in the Riverside Valley Park. Discussions with the Environment Agency are underway to incorporate planting into EA flood scheme between Double Locks and Countess Wear. Estimate expenditure 2016-17	NO
02/0300/03	Princeshay	Ravenseft Properties Ltd	Contribution towards permanent storage conservation and display of archaeological records discoveries and finds made during the course of development	£63,649.82	£50,000.00	£0.00	£5000 before Lloyds TSB refurbishment starts, -remainder before start of main development	YES	£5,000 received under supplemental agreement dated 3/8/04 on application 03/1599/03. Remainder £51,096.77 including RPI paid 2006. £15,000 to be spent in 2013-14 to fund preparation of material for deposition in RAMM. This includes the £5000 that had to be spent by Aug. 2014. Remainder earmarked for use by end of 2016 to fund RAMM storage facilities in order to take the Princeshay archive and finds, but means of achieving this still under discussion.	NO

Table 8: Section 106 Environmental Enhancements – Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Complied	Notes	Money spent
02/0300/03	Princeshay	Ravenset Properties Ltd	Contribution for conservation and display of special (archaeological) finds made during the course of development	£34,811.15	£20,000.00	£0.00	Before start of main development	YES	£22,709.68 received 2006. RAMM has drawn up proposals for the use of this money. Funds shortly to be transferred by Finance. Should all be spent by end 2013-14.	NO
05/1555/03	Land adjoining Unit 6 Rydon Lane Retail Park	Northwich Property Trust Limited	Environmental contribution towards the enhancement of the shopping centre of Heavitree	£12,500.00	£12,500.00	£0.00	Prior to commencement	YES	Agreed scheme of tree planting to be implemented Autumn 2013.	NO
06/2497/03	Land adj. 60 Haven Road	Signpost Homes Ltd	Public realm and Art contribution	£90.00	£8,500.00	£8,500.00	Upon the commencement of development	YES	Committed to public realm improvements in the Canal Basin area. Proposals being drawn up for tree planting and seating to Haven Banks. To be implemented 2013/14 following completion of Outdoor Centre.	NO
07/0397/03	Bishops Court Ind. Estate Sidmouth Road	Citygrove	Landscaping contribution	£20,566.00	£20,000.00	£0.00	Prior to occupation	YES	Received 14/8/2009. Not yet committed to any project.	NO
07/1400/03	Carnegie House, Western Way	Carnegie Inns Limited	Contribution toward the provision of public art within the vicinity of the site	£43,003.56	£40,000.00	£0.00	3 months after development commencement	YES	Received Dec 2008. Draft proposal drawn up for Western Way/Paris St roundabout and consulted upon. Scheme for Swift	NO

Table 8: Section 106 Environmental Enhancements – Money Received

Planning App no.	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Complied	Notes	Money spent
									tower and landscaping proceeding. Money to be committed by Dec 2013.	
10/1594/03	RD&E Hospital, Gladstone Rd	Waitrose Ltd	Pay for improving the trading environment in Magdalen Road (£15,000).	£13,000	£15,000	£2,000.00	Within 28 days of commencement.	YES	Received Mar 2011. £1,000 each spent on Magdalen Road Christmas Fair 2011 and 2012.	PART
10/1594/03	RD&E Hospital, Gladstone Rd	Waitrose Ltd	Pay for improving the trading environment in Heavtree Road (£10,000).	£10,000	£10,000	£0.00	Within 28 days of commencement.	YES	Agreed scheme of tree planting to be implemented Autumn 2013.	NO
11/0787/01	St Loyes Foundation, Topsham Road	Helical (Exeter) Ltd.	Payment of a contribution towards storage and display of archaeological finds made during the course of development	£35,802.75	£35,000.00	£0.00	Prior to implementation.	YES	£35,802.75 paid February 2013. How contribution to be used to be subject of discussions during coming year between Archaeology Officer, RAMM, and Developer.	NO

Table 9: Section 106 Open Space Maintenance – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
00/1015/01	Lavender Road	Barratt Homes Ltd	Developer to lay out open space and play area to spec agreed by ECC. Pay commuted sums for maintenance thereof in accordance with formula in agreement, index linked.	£0.00	To be calculated	£0.00	Provide on occupation of 75% of dwellings or within 2 years after commencement. Pay commuted sums on transfer.	YES	Play area installed in October 2005. Various problems (drainage and planting). Issues still remain so not yet adopted.
02/1402/01	Royal Naval Stores Depot, Topsham Road	Persimmon Homes Ltd	Provide public open space in two positions, to include play area to value of £100,000. Maintain for one year and transfer to ECC. Pay commuted sum in respect of the future maintenance of the public open space and the play area.	£0.00	To be agreed	£0.00	Upon adoption	NO	Not yet due. Negotiation with the developer regarding the play area and equipment is at a quite developed stage. Various problems and issues with the wider open space have delayed adoption of the land and delivery of the play facilities.
02/1933/03	Ibstock Brickworks, Monks Rd	Persimmon Homes Ltd	Lay out open space including play equipment and youth area, having first done remediation and monitoring, to be certified by environmental consultant. Get collateral warranties from environmental consultant, and environmental insurance. Maintain open space	£0.00	£270,000	£0.00	Before 70 units of open market housing have been occupied	YES	Limited progress has been made since a meeting between the Council and Persimmon Homes on 11 November 2008. - It is understood that work to the leachate plant has been carried out but no evidence as to its success has yet been received - Open space issues remain - It was agreed that Persimmon would produce one single remediation validation report. This has not been forthcoming. Despite these issues an acceptable play area was provided by the developer in 2007. Due to the various issues at the site it has not been adopted although it has been open for public use. Its current condition will need to be assessed before any future adoption.
02/1933/03	Ibstock Brickworks, Monks Rd	Persimmon Homes Ltd	"costs of maintaining the leachate plant provided as part of the remediation works after it has been transferred to the Council"	£0.00	£119,250	£0.00	Before 70 units of open market housing have been occupied	YES	

Table 9: Section 106 Open Space Maintenance – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a Habitat Management Contribution	£0.00	£23,649.50	£0.00	Phased payments payable prior to occupation of any dwelling constructed on individual parcels.	NO	There are 3 separate agreements which apply to 3 separate Sites under one application 07/2169/01 for outline planning permission.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Pay a Playing Pitches Contribution	£0.00	£102,520	£0.00	As above.	NO	As above.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a Remediation Contribution	£0.00	Up to max of £7326	£0.00	Prior to commencement of development.	YES	As above.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a Public Open Space Commuted Sum	£0.00	£107,180	£0.00	Payable 28 days after the Council issue an approval certificate for the POS in each Parcel of land specified in the MP.	NO	As above.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a Wildlife Area Commuted Sum.	£0.00	£11,400.00	£0.00	Payable on transfer of Wildlife Area.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a Habitat Management Contribution	£0.00	£15,022	£0.00	Phased payments payable prior to occupation of any dwelling constructed on individual parcels.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a Playing Pitches Contribution	£0.00	£440 per dwelling of 2 or more bedrooms	£0.00	As above.	NO	As above.

Table 9: Section 106 Open Space Maintenance – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a Remediation Contribution	£0.00	Up to max of £1208	£0.00	Prior to the commencement of development	YES	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a Playing Pitches contribution	£0.00	£440 per dwelling of 2 or more bedrooms	£0.00	Phased payments payable prior to occupation of any dwelling constructed on individual parcels.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a Public Open Space Commuted Sum	£0.00	£68,080	£0.00	Payable for each Parcel of land specified in the MP 28 days after the Council issue an approval certificate for the POS in each Parcel.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a Wildlife Area Commuted Sum.	£0.00	£1,880.00	£0.00	Payable on transfer of Wildlife Area.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of an Open Space Contribution for the provision of play equipment, railings and gates etc within Play Area	£0.00	Up to £106480	£0.00	Upon the Council issuing an approval certificate for the open space in the Parcel of land specified in the MP containing the Play Area.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a Habitat Management Contribution	£0.00	£40,701.50	£0.00	Phased payments payable prior to occupation of any dwelling constructed on individual parcels.	NO	As above.

Table 9: Section 106 Open Space Maintenance – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a Playing Pitches Contribution	£0.00	£440 per dwelling of 2 or more bedrooms	£0.00	Phased payments payable prior to occupation of any dwelling constructed on individual parcels.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a Remediation Contribution	£0.00	Up to max of £11466	£0.00	Prior to commencement of development.	YES	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a Public Open Space Committed Sum	£0.00	£184,460	£0.00	Payable for each Parcel of land specified in the MP 28 days after the Council issue an approval certificate for the POS in each Parcel.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a Playing Pitches Contribution	£0.00	£440 per dwelling of 2 or more bedrooms	£0.00	Phased payments payable prior to occupation of any dwelling constructed on individual parcels.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a Remediation Contribution	£0.00	Up to max of £11466	£0.00	Prior to commencement of development.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a Public Open Space Committed Sum	£0.00	£184,460	£0.00	Payable for each Parcel of land specified in the MP 28 days after the Council issue an approval certificate for the POS in each Parcel.	NO	As above.

Table 9: Section 106 Open Space Maintenance – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
11/0959/03	Kingfisher House/Stag House, Western Way	Heritage Developmmts SW Ltd.	Requires payment of an open space contribution.	£0.00	£14,380.00	£0.00	Prior to occupation.	NO	Not likely to proceed.

Table 10: Section 106 Open Space Maintenance – Money Received

Planning App.no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes
94/0129/01	Northbrook Sch. Beacon Lane	Barratt	Maintenance of landscape and open space	£21,026.92	£19,099.00	5% per annum (- interest) £9,808.82 for remediation	YES	Land Adopted - Remedial work completed Spring 2008. Continuing maintenance occurring.
94/0606/01	St Peter's Mount Luggs Farm Redhills	Redrow Homes	Maintenance of open space	£5,679.34	£23,000.00	5% per annum (- interest) £12,000 for remediation	YES	Land adopted but for woodland area. Remedial works completed. Continuing maintenance occurring.
95/0638/03	Guys Hylton	William Sutton Trust	Public Open Space Contribution	£1,685.31	£4,000.00	5% per annum (- interest) £2,560 for children's play facilities	YES	£2.56K transferred to the general children's play area fund. Residual being spent on maintenance.
95/0796/03	Exeter Castings, Water Lane	Midas Homes Ltd	Provide open space. Pay commuted sum for maintenance of same	£21,987.12	£16,500.00	5% per annum (- interest)	YES	Land Adopted - Continuing maintenance occurring
98/0220/03	Well Oak, Dryden Road	Persimmon Homes	POS Maintenance	£16,300.64	£27,000.00	5% per annum (- interest) £12,000 for remediation	YES	£12K spent on fencing and remedial works.
98/0328/03	Horseguards	Barratt Homes	Maintenance of Public Open Space on Site	£37,392.42	£29,500.00	5% per annum (- interest)	YES	Land Adopted - Continuing maintenance occurring
98/0613/01	Gras Lawn, Barrack Road		Public Open Space Commuted Sum	£6,374.79	To be Calculated	5% per annum (-interest)	YES	Land Adopted - Continuing maintenance occurring
99/0442/01	Princess Elizabeth Hosp. Barrack Rd	Bovis Homes Ltd (originally S.O.S For Health)	Contribution towards maintenance of public open space including play area	£17,533.00	£17,533.00	£0.00	YES	POS1 (main green space) - Now laid out awaiting transfer. Resident/developer boundary issues remain. Contact Mir Barnard (272870) on adoption. POS2 (play area) - Adopted
01/0308/03	River Court, Pynes Hill	Pynes Hill Property Ltd	Maintenance of landscape strip	£19,257.67	£15,000.00	5% per annum (-interest)	YES	Land Adopted - Continuing maintenance occurring
01/0852/02	Land Adj to Alphingbrook Road	LIDL UK	Commuted Sum For Landscape Maintenance	£9,237.17	£8,500.00	5% per annum (- interest)	YES	Land Adopted - Continuing maintenance occurring
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	Children's Play Commuted Sum - maintenance of children's	£23,000.00	£20,000.00	5% per annum (- interest)	YES	Land adopted - Continuing maintenance occurring.

Table 10: Section 106 Open Space Maintenance – Money Received

Planning App.no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes
			play area.					
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	Open Space Contribution. Maintenance of open space. (inc. POS contributions for additional peripheral remediation works)	£136,966.12	£140,000.00 (plus remediation contribution)	5% per annum (- interest) £64,000 for remediation	YES	All land adopted - Continuing maintenance occurring. £43,469 spent since Sep 2008 on remedial works.
03/0200/03	Land at Plymco, Kinnerton Way	Persimmon	Payment of a committed sum towards the costs of maintaining a sloped area behind MUGA constructed on Council land.	£13,999.00	£13,999.00	£0.00	YES	
03/0262/03	Land adj River Court, Pynes Hill	Colourcoilt Ltd	Lay out landscaping works on Council's land in accordance with specification in agreement. Maintain for 12 months. Pay committed sum towards future costs of maintaining the landscaping strip.	£6,831.28	£5,600.00	5% per annum (- interest)	YES	Land Adopted - Continuing maintenance occurring
03/0618/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	Transfer open space to ECC on completion. Pay committed sum of £39700.	£48,343.19	£39,700.00	5% per annum (- interest)	YES	Land Adopted - Continuing maintenance occurring
03/1722/03	Richmond Yard	George Wimpey Bristol Ltd	Play area committed sum	£6,873.00	£6,068.00	5% per annum (- interest)	YES	Land Adopted Dec 2008 – Continuing maintenance occurring.
03/2008/03	Wyvern Barracks	C G Fry & Son Ltd	Maintenance of Public Open Space	£78,353.26	£71,242.00	5% per annum (- interest)	YES	Received Dec 2007
07/1352/01	Beacon Avenue	Persimmon Homes	Public Open Space committed sum	£34,032.00	£34,032.00	£0.00	YES	Land adopted. Continuing maintenance occurring.

Table 10: Section 106 Open Space Maintenance – Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes
07/1352/01	Beacon Avenue	Persimmon Homes	Play equipment commuted sum	£11,344.00	£11,344.00	£0.00	YES	Land adopted. Play equipment to be provided by the Council during 2013.

Table 11: Social Services & Health – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Due when	Due	Notes
02/1402/01	Royal Naval Stores Depot, Topsham Road	Persimmon Homes Ltd	Contribution towards services for elderly persons	£0.00	£25,000.00	Before more than 200 houses occupied	YES	Not yet paid. DCC pursuing.
02/1402/01	Royal Naval Stores Depot, Topsham Road	Persimmon Homes Ltd	Contribution towards expansion of learning disability services.	£0.00	£25,000.00	Before more than 200 houses occupied	YES	Not yet paid. DCC pursuing.
02/1402/01	Royal Naval Stores Depot, Topsham Road	Persimmon Homes Ltd	Contribution towards a minibus for elderly persons not able to use public transport	£0.00	£20,000.00	Before more than 200 houses occupied	YES	Not yet paid. DCC pursuing.
02/1402/01	Royal Naval Stores Depot, Topsham Road	Persimmon Homes Ltd	Contribution a single place in a children's home.	£0.00	£30,000.00	Before more than 200 houses occupied	YES	Not yet paid. DCC pursuing.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a Healthcare Contribution	£0.00	£125 per dwelling	Phased payments.	NO	There are 3 separate agreements which apply to 3 separate Sites under one application 07/2169/01 for outline planning permission.
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a Social Services Contribution	£0.00	£310 per dwelling	Phased payments.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a Healthcare Contribution	£0.00	£125 per dwelling	Phased payments.	NO	As above.

Table 11: Social Services & Health – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Due when	Due	Notes
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a Social Services Contribution	£0.00	£310 per dwelling	Phased payments.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a Healthcare Contribution	£0.00	£125 per dwelling	Phased payments.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a Social Services Contribution	£0.00	£310 per dwelling	Phased payments.	NO	As above.

Table 12: Section 106 Social Services & Health -- Money Received (No entries for 2012-2013)

Planning App.no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes

Table 13: Section 106 Highways and Transport – Money Expected

Planning App no.	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
02/1402/01	Royal Naval Stores Depot, Topsham Road	Persimmon Homes Ltd	"...towards the cost to be incurred by the County Council in procuring two additional bus services from the property to Exeter City Centre and Marsh Barton or such other routes or destinations as may be approved by the owner."	£400000	£1,000,000	£23,659	Payment in 4 instalments by 31/01/2014.	Part	Original contribution of £1,250,000 renegotiated. Deed of variation of 27/05/2011 requires payment in 4 instalments. Scope widened to any transport improvements. Highway adoption agreements not yet completed by developer.
03/1611/01	County Ground	Bellway	Traffic Calming Contribution to the County Council	£0.00	£40,000.00	£0.00	Within 14 days of request	NO	DCC currently investigating.
04/1082/03	Tesco, Russell Way	Tesco Stores Ltd	Contribution towards public transport following the implementation of a suitably direct road link to future development at Newcourt to the south of the A379 between the A379 and Topsham Road. Repayable if unspent after 10 years.	£0.00	£50,000	£0.00	On occupation	YES	Road link now completed between Topsham Road and the A379 (but not yet adopted)
07/1213/01	Chancel Lane	Taylor Wimpey	Payment of a contribution for improvements to Chancel Lane (to be carried out by DCC)	£0.00	£70,000	£70,000	On the date of the agreement (26/04/2013)	YES	Invoice sent.
07/2169/01	ORLN Site, Land N of Old Rydon Lane	The Pratt Group & DL Wood	Pay a Highways Contribution	£0.00	£1,465,296	£0.00	Phased payments prior to occupation of dwellings on any parcel of land.	NO	There are 3 separate agreements which apply to 3 separate Sites under one application 07/2169/01 for outline planning permission.
07/2169/01	ORLN Site, Land N of Old Rydon Lane	The Pratt Group & DL Wood	Pay a Traffic Order Contribution	£0.00	£1,500.00	£0.00	Payable on demand, but not before 1st occupation.	NO	As above.

Table 13: Section 106 Highways and Transport – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a Public Transport Contribution	£0.00	£73,264.00	£0.00	Prior to 1st occupation.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Pay a highways contribution	£0.00	£241,645.33	£0.00	Phased payments prior to occupation of dwellings on any parcel of land.	NO	As above.
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Pay a public transport contribution	£0.00	£12,082.00	£0.00	Prior to 1st occupation.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Pay a highways contribution	£0.00	£2,293,060	£0.00	Phased payments prior to occupation of dwellings on any parcel of land.	NO	As above.

Table 13: Section 106 Highways and Transport -- Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Pay a public transport contribution	£0.00	£114,653.00	£0.00	Prior to 1st occupation.	NO	As above.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Pay a traffic order contribution	£0.00	£3,000.00	£0.00	Payable on demand, but not before 1st occupation.	NO	As above.
09/0279/03	Birks Halls, New North Road	University of Exeter	Pay a traffic order contribution.	£0.00	£3,000.00	£0.00	Upon request	YES	DCC pursuing.
09/1523/03	Topsham Rugby Club, Exeter Rd, Topsham	Trustees Topsham RFC	Pay a traffic order contribution.	£0.00	£1,500.00	£0.00	On or before commencement of development.	NO	DCC pursuing.

Table 13: Section 106 Highways and Transport – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
10/0200/01	Land S of Yeoford Way, Marsh Barton Trading Estate	Prego Development s Ltd	Payment of a transportation contribution	£0.00	£200,000.00	£0.00	50% prior to first occupation, 25% prior to occupation of 100,000 sq ft and 25% prior to occupation of 200,000 sq ft.	NO	
10/1840/01	Land off Hill Barton Road, Exeter	Hill Barton Devts LLP & others	Payment of a sustainable transport contribution of £42500 plus £2218.50 per dwelling.	£0.00	£365,382.47	£0.00	On commencement of development.	YES	This contribution being renegotiated as at April 2013.
10/1840/01	Land off Hill Barton Road, Exeter	Hill Barton Devts LLP & others	Payment of a car club contribution of £188 per dwelling.	£0.00	£26,195.51	£0.00	On commencement of development.	YES	Invoice sent April 2013.
10/2088/01	Land at Pinhoe Quarry, Harrington Lane.	Pinhoe Quarry LLP	Payment of a contribution towards Exhibition Way link road.	£0.00	£808,600.00	£0.00	Prior to commencement of the housing development.	NO	Developer seeking to renegotiate contribution.

Table 13: Section 106 Highways and Transport – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
10/2088/01	Land at Pinhoe Quarry, Harrington Lane.	Pinhoe Quarry LLP	Requires payment of a contribution towards sustainable transport.	£0.00	£204,100.00	£0.00	Prior to commencement of the housing development.	NO	Developer seeking to renegotiate contribution
10/2088/01	Land at Pinhoe Quarry, Harrington Lane.	Pinhoe Quarry LLP	Requires payment towards measures under the Travel Plan.	£0.00	£222,050.00	£0.00	Prior to commencement of the housing development.	NO	Developer seeking to renegotiate contribution
11/0140/03	Townsend Printers, Western Way	MREF Exeter Property Co. Ltd.	Requires payment of a contribution for highway works.	£0.00	£36,000.00	£0.00	Prior to occupation.	NO	
11/0140/03	Townsend Printers, Western Way	MREF Exeter Property Co. Ltd.	Requires payment of a contribution for the provision, upgrading or signing of cycle routes between the development and the University.	£0.00	£15,000.00	£0.00	Within 6 months of commencement.	YES	

Table 13: Section 106 Highways and Transport – Money Expected

Planning App.no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
11/0895/03	Portland House, Longbrook Street	Eaton Commercial Properties Exeter Ltd	Requires payment of a Traffic Regulation Order contribution.	£0.00	£1,500.00	£0.00	Prior to commencement of development.	NO	Unlikely to proceed.
11/0895/03	Portland House, Longbrook Street	Eaton Commercial Properties Exeter Ltd	Requires payment to DCC of a residents parking contribution.	£0.00	£10,000.00	£0.00	Prior to commencement of development.	NO	Unlikely to proceed.
11/0895/03	Portland House, Longbrook Street	Eaton Commercial Properties Exeter Ltd	Requires payment to DCC of a cycle contribution.	£0.00	£3,100.00	£0.00	Prior to commencement of development.	NO	Unlikely to proceed.
11/0959/03	Kingfisher House/ Stag House, Western Way	Heritage Developmmts SW Ltd.	Requires payment of a contribution for improvements in Verney Street	£0.00	£18,000.00	£0.00	Prior to occupation.	NO	Unlikely to proceed.

Table 13: Section 106 Highways and Transport – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
11/0959/03	Kingfisher House/ Stag House, Western Way	Heritage Developmtns SW Ltd.	Requires payment of a contribution for cycle routes.	£0.00	£2,700.00	£0.00	Prior to occupation.	NO	Unlikely to proceed.
11/1619/01	Land S. of Met Office, Fitzroy Road	Premier Inn Hotels Ltd	Payment to DCC of a strategic highway contribution	£0.00	£60,000.00	£0.00	Prior to commencement of development.	NO	
11/1751/03	Former Speedway Garage, 63 Cowick Street.	The A303 Partnership	Payment to DCC of a Traffic Regulation Order contribution.	£0.00	£1,500.00	£0.00	Prior to commencement of development.	NO	
11/1800/03	Former Ibstock Brickworks Site, Harrington Lane	Redrow Homes Ltd	Payment of a contribution for the Exhibition Way Link	£0.00	£607,750.00	£0.00	Prior to occupation of 150th dwelling.	NO	To be spent or committed to be spent within 20 years of the date it was paid.

Table 13: Section 106 Highways and Transport – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Due when	Due	Notes
11/1800/03	Former Ibstock Brickworks Site, Harrington Lane	Redrow Homes Ltd	Payment of a sustainable transport contribution.	£0.00	£168,331.00	£0.00	50% to DCC prior to occupation of 20th dwelling. 50% to DCC prior on occupation of 135th dwelling.	NO	To be spent or committed to be spent within 20 years of the date it was paid.
12/0806/01	Pilton House, Pilton Lane.	Messrs B Kaye and J Warren	Payment to DCC of a highway and transportation contribution.	£0.00	£8,224.00	£0.00	Prior to commencement of development.	NO	
12/0988/03	Former University of Plymouth, Earl Richards Rd N	University of Plymouth	Payment of a contribution to DCC towards traffic orders and road markings.	£0.00	£3,500.00	£0.00	Prior to commencement of development.	NO	

Table 14: Section 106 Highways and Transport – Money Received

Planning App.no.	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Money spent
02/1402/01	Royal Naval Stores Depot, Topsham Road	Persimmon Homes Ltd	"..provision of 24 hour dedicated bus priority lane along Topsham Road between the access to the property and Countess Wear roundabout and part of Bridge Road, including relocation of bus stops and bus shelters as shown on plan 2"	£45,471.59	£40,000.00	£0.00	YES	£45,471.59 received 12/04/10. DCC checking progress (April 2012)	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Persimmon Homes Ltd	"improvement of pedestrian/cycle facilities from the property to Countess Wear School and Priory High School and into the existing adjoining network."	£11,367.90	£10,000.00	£0.00	YES	£11,367.90 received from Persimmon 12/04/10. DCC checking progress (April 2012)	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Persimmon Homes Ltd	Install traffic signals at the entrance of the site onto Topsham Road. Pay committed sum in respect of the cost of operating and maintaining the said traffic signals. Pay £65,000 towards highway improvements. Indexed from 9 Dec 2003 until payment. Repay if unspent within 10 years of payment.	£10,000.00	£10,000.00	£0.00	YES	£3,916.72 received from Persimmon April 2010 and balance paid in full May 2010.	NO
03/1256/01	Digby Drive/Russell Way	Barratt Homes Ltd Persimmon Homes Ltd	Travel Pack Contribution	£71,779.50 (DCC)	£65,000.00	£0.00	YES	Received by DCC Jan & Mar 2008 - committed to Exeter Walking Project around Digby Drive. DCC checking progress (April 2012)	NO
03/1611/01	County Ground	Bellway	Travel Pack Contribution	£2,827.89	£2,500.00	£0.00	YES	Received by DCC 5 June 2009.	NO

Table 14: Section 106 Highways and Transport – Money Received

Planning App no.	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Completed	Notes	Money spent
03/2008/03	Wyvern Barracks	C G Fry & Son Ltd	Pay £24,000 for construction of a footpath from Shakespeare Road to south-eastern boundary of site.	£30,163.77	£24,000.00	£0.00	YES	Received 29/06/2005. Planning permission has been granted for the path. Work commenced on site early 2013	NO
04/1814/03	7 Tudor Street	Gadd Homes Ltd	Pay £3000 for reserved car facility. Includes £1000 to fund traffic order to designate on-street club car space. Index linked.	£3,372.27 (DCC)	£3,000.00	£0.00	YES	Received by ECC October 2009	NO
06/0780/03	94a&94b Sidwell Street	Bradley	Real-time bus information	£11,231 (DCC)	£11,000.00	£0.00	YES	Moneys received Jan 2007	NO
06/0876/03	Land North of Exeter Motorway Services	Location 3 Properties	Contribution towards the management of the Sowton Transport Management Forum	£5,000 (DCC)	£5,000.00	£0.00	YES	Received by DCC Oct 2007	NO
06/0891/03	Land adjacent to 42 Chamberlain Road	Shorewalk	Water Lane/Haven Road - Highway Contribution	£16,266.75	£15,000.00	£0.00	YES	Money received 31/01/2008	NO
07/0397/03	Bishops Court Ind. Est., Sidmouth Rd	Citygrove	Traffic signal maintenance contribution	£29,000.00	£29,000.00	£0.00	YES	Received by DCC Dec 2008	NO
07/0397/03	Bishops Court Ind. Est., Sidmouth Rd	Citygrove	Contribution towards widening of footway to form footway/cycleway	£16,000.00	£16,000.00	£0.00	YES	Received by DCC Dec 2008	NO

Table 14: Section 106 Highways and Transport – Money Received

Planning Appr.no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Money spent
07/1352/01	Beacon Avenue	Persimmon Homes	Payment of a highway contribution to the City Council. To be forwarded to the highways authority upon the request and specifications of how the funds will be spent.	£0.00	£26,500	£26,500	YES	Received by DCC Feb 2011. Part of a contribution of £34,000. £7,500 outstanding. This to be used towards the purchase by Developer of cycle vouchers.	PART
07/1400/03	Carnegie House, Western Way	Jury Inns Ltd.	Contribution towards reviewing traffic orders in the area	£3,000.00	£3,000.00	£0.00	YES	Received by DCC 22/08/08. Traffic Order currently in progress.	NO
07/1400/03	Carnegie House, Western Way	Jury Inns Ltd.	Contribution for relocating the existing signal controlled pedestrian crossing nearer to the Paris Street roundabout	£15,000.00	£50,000.00	£35,000.00	YES	Received by DCC 22/08/08. Relocation of crossing complete. Remainder to be used for provision of non-skid surface.	NO
07/2654/03	Oaklands (rear)	Trust Estate of Mrs P L Newbery	Contribution towards an extra traffic lane in Cowick Lane	£13,000.00	£13,000.00	£0.00	YES	Received by DCC Aug 2010. Superseded by agreement attached to 10/0487/03	NO
09/1592/03	Morrisons Supermkt, Prince Charles Road	Wm Morrison Supermarkets PLC	Pay a contribution towards highway improvements in the vicinity of the site.	£40,000	£40,000	£0.00	YES	Devt. has commenced. (Developer is currently proposing alternative proposals that may require revised contributions).	NO

Table 14: Section 106 Highways and Transport – Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Money spent
10/1533/03	Former Tennis Courts, Bishop Blackall Annex, Thornton Hill	C W Ellis & Motionarch Properties Ltd.	Pay a highways contribution for the making of a traffic order.	£1,500	£1,500	£0.00	YES	£1,500 received by DCC Dec 2010. Revision to Traffic Order currently in progress.	NO
10/1594/03	RD&E Hospital, Gladstone Rd	Waitrose Ltd	Pay £20,000 for improvement of existing bus stops on Heavitree Road in the vicinity of the site.	£20,000.00	£20,000.00	£0.00	YES	Received by ECC March 2011.	NO
10/1594/03	RD&E Hospital, Gladstone Rd.	Waitrose Ltd	Pay £1,500 for varying traffic orders in Gladstone Road.	£1,500	£1,500	£0.00	YES	Received by ECC March 2011.	NO
11/0140/03	Townsend Printers, Western Way	MREF Exeter Property Co. Ltd.	Payment of a contribution for the making of orders to control parking in Toronto Road or elsewhere affected by student parking.	£2338.50	£7,000.00	£4661.50	YES	Received by DCC May 2012	Part

Table 15 – Local Energy Network - Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount Outstanding	Due when	Due	Notes
10/1906/03	69-73 Sidwell St.	Stoneman & Bowker Ltd	Payment of a contribution to the proposed city centre local energy network scheme.	£0.00	£40,000.00	£40,000.00	Prior to occupation.	NO	
11/0140/03	Townsend Printers, Western Way	MREF Exeter Property Co. Ltd.	Payment of a contribution to the proposed city centre local energy network scheme.	£0.00	£81,000.00	£81,000.00	Prior to occupation.	NO	
11/0895/03	Portland House, Longbrook Street.	Eaton Commercial Properties Exeter Ltd	Payment of a LEN contribution.	£0.00	£31,000.00	£31,000.00	Prior to commencement of development.	NO	Unlikely to proceed
11/0959/03	Kingfisher House/Stag House, Western Way	Heritage Developmmts SW Ltd.	Requires payment of a LEN contribution.	£0.00	£46,898.00	£46,898.00	Prior to occupation.	NO	Unlikely to proceed

Table 16 – Local Energy Network - Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied?	Notes	Money spent?
10/1594/03	RD&E Hospital, Gladstone Rd	Waitrose Ltd	Pay £94,000 towards the implementation of a Local Energy Network (LEN) scheme in the City Centre.	£96,136.35	£94,000	£0.00	Prior to completed development being brought into use for retail trading.	YES	YES

Table 17: Exe Estuary Management Plan – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount Outstanding	Due when	Due	Notes
07/2169/01	ORLN Site, Land N of Old Rydon Lane.	The Pratt Group & DL Wood	Payment of a contribution towards mitigation for protected European sites.	£0.00	£8155	£8155	Phased payments.	NO	There are 3 separate agreements which apply to 3 separate sites under one outline application (07/2169/01). Reserved matters approved November 2012 for 233 dwellings (12/0921/02)
07/2169/01	LANGDON Site, Land E of Newcourt House.	Dukeminster Ltd	Payment of a contribution towards Exe Estuary Management Plan.	£0.00	£5180	£5180	Phased payments.	NO	Outline permission only.
07/2169/01	SEF Site, Land NE of Topsham Road.	Holaw Ltd & Roadfarm Ltd & SoS Defence & NH Finance Ltd	Payment of a contribution towards Exe Estuary Management Plan.	£0.00	£14035	£14035	Phased payments.	NO	There are 3 separate agreements which apply to 3 separate sites under one outline application (07/2169/01). Reserved matters approved April 2012 for 112 dwellings (12/0131/02) and November 2012 for 289 dwellings (12/0870/02) a total of 401 dwellings.
11/0787/01	St Loyes Foundation, Topsham Road	Helical (Exeter) Ltd.	Payment to ECC of a contribution for Exe Estuary SPA protection.	£0.00	£17,514.00	£17,514.00	On completion of 39 open market dwellings.	NO	Payment not required if the equivalent payment is made pursuant to the S106 agreement of 23/09/2010. Any part unspent to be returned after 7 years.
11/1751/03	Former Speedway Garage, 63 Cowick Street.	The A303 Partnership	Payment to ECC of a contribution for measures to mitigate the impact of residential development upon European protected sites.	£0.00	£3,850.00	£3,850.00	Prior to commencement of development.	NO	

Table 17: Exe Estuary Management Plan – Money Expected

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount Outstanding	Due when	Due	Notes
11/1800/03	Former Ibstock Brickworks Site, Harrington Lane	Redrow Homes Ltd	Payment of a contribution towards mitigation for protected European sites.	£0.00	£80,500.00	£80,500.00	On occupation of 115th dwelling.	NO	To be spent within 5 years of the date on which it was paid.
11/1951/03	Dean Clarke House, Southernhay East	Devon Lifestyles (Exeter) Ltd	Payment of a contribution towards mitigation for protected European sites.	£0.00	£8,400.00	£8,400.00	Prior to commencement of development.	NO	
12/0027/03	28 Manor Road	Firmploot Ltd	Payment to ECC of a contribution towards measures to mitigate the impact of residential development upon the Exe Estuary Special Protection Area (SPA).	£0.00	£350.00	£0.00	Prior to commencement of development	YES	
12/0248/03	Magdalen House, 54/56 Magdalen Road	Devon County Council	Payment of a contribution towards mitigation for protected European sites.	£0.00	£1,750.00	£1,750.00	Within 28 days of occupation of the fourth dwelling in the development.	NO	
12/0806/01	Pilton House, Pilton Lane.	Messrs B Kaye and J Warren	Payment of a contribution towards mitigation for protected European sites.	£0.00	£700.00	£700.00	Prior to commencement of development.	NO	
12/0988/03	Former University of Plymouth, Earl Richards Rd N	University of Plymouth	Payment of a contribution towards mitigation for protected European sites.	£0.00	£13,650.00	£0.00	Prior to commencement of development.	NO	

Table 17: Exe Estuary Management Plan – Money Expected

12/1426/03	130 Fore Street	Exeter Property and Trading Co. Ltd.	Payment of a contribution towards mitigation for protected European sites.	£0.00	£4,550.00	£0.00	Prior to occupation of the development.	NO	
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Table 18: Exe Estuary Management Plan – Money Received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied?	Notes	Money spent?
<p>£29,020.00 has been received by the Council as Natura 2000 contributions. A number of these contributions have been paid in cash rather than secured under S106 agreements.</p>									

Table 19: Contributions Received between 1 April 2012 and 31 March 2013

Planning App no.	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Money spent
Affordable Housing									
08/0165/03	137 & 137A Cowick Street	McCarthy and Stone (Developmnts) Ltd	Pay an affordable housing contribution.	£1,089,411.15	£1,073,066.00	£0.00	YES		NO
Community and Leisure									
09/2068/03	St Pauls Church, Burnthouse Lane	Tor Homes	Off-site open space contribution.	£10,000	£10,000	£0.00	YES		NO
11/0140/03	Townsend Printers, Western Way	MREF Exeter Property Co. Ltd.	Payment of a contribution towards a new community centre in Belmont Park.	£45,000.00	£37,671.23	£0.00	YES		NO
Environmental Enhancements									
11/0787	St Loyes Foundation, Topsham Road	Helical (Exeter) Ltd.	Payment of an archaeology contribution.	£35,802.75	£35,802.75	£0.00	YES		NO
Highways									
11/0140/03	Townsend Printers, Western Way	MREF Exeter Property Co. Ltd.	Payment of a contribution for the making of orders to control parking in Toronto Road or elsewhere affected by student parking.	£7,000	£7,000	£0.00	YES		
				£1,187,213.80					

Table 20: Financial Contributions Spent between 1 April 2012 and 31 March 2013

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Completed	Notes	Spent
Affordable Housing									
08/0165/03	137 & 137A Cowick Street	McCarthy and Stone (Developments) Ltd	Payment of affordable housing contribution.	£780,582.26	£1,073,066	£40,000	YES		PART
Community & Leisure									
00/1015/01	Kinnerton Way, Exwick	Barratt Homes Ltd	Payment of a contribution towards provision of community facilities within the vicinity of the site	£00.00	£15,000.00	£17384.73	YES		YES
03/0200/03	Land at Plymo, Kinnerton Way	Persimmon	Provide or support the provision of community facilities and services in the Exwick area of Exeter	£26,905.70	£70,000.00	£3498.02	YES		YES
03/2008/03	Wyvern Barracks, Barrack Road		Payment of contribution in lieu of play equipment		£38,620	£3879.00	YES		YES

Table 20: Financial Contributions Spent between 1 April 2012 and 31 March 2013

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Completed	Notes	Spent
06/1147/03	Episcopal Building and York Wing, Dinham Road	Justin Developments	Provision and maintenance of £15K + VAT of play equipment	£9633.30	£18,000.00	£8366.70	YES		PART
07/1352/03	Beacon Avenue	Persimmon Homes	Payment of a Community Facilities contribution.	£66,223.08	£95,560.00	£5319.85	YES		PART
07/2502/03	Exeter Trust House (Students)	UNITE	Payment of a community facilities contribution to ECC.	£0.00	£15,400.00	£1821.00	YES		PART
07/1213/01	Chancel Lane	Taylor Wimpey	Payment of a contribution towards play facilities to serve the development	£3797.83	£18,000.00	£956.47	YES		PART

Table 20: Financial Contributions Spent between 1 April 2012 and 31 March 2013

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Spent
09/2068/03	St Pauls Church, Burnthouse Lane	Tor Homes	Off-site open space contribution.	£0.00	£18,000.00	£13195.26	YES		YES
08/0165/03	137 & 137A Cowick Street	McCarthy and Stone (Development s) Ltd	Payment of contribution towards the refurbishment of 137 Cowick Street.	£0.00	£100,000.00	£33912.21	YES		YES
Environmental Enhancements									
03/2008/03	Wyvern Barracks	C G Fry & Son Ltd	Pay £24,000 for construction of a footpath from Shakespeare Road to south-eastern boundary of site.	£5050.62	£24,000.00	£25491.33	YES		PART
10/1594/03	RD&E Hospital, Gladstone Rd	Waitrose Ltd	Pay for improving the trading environment in Magdalen Road (£15,000).	£13,242.38	£15,000	£940.68	YES		PART

Table 20: Financial Contributions Spent between 1 April 2012 and 31 March 2013

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Spent
Highways and Transport									
02/1402/01	Royal Naval Stores Depot, Topsham Road	Persimmon Homes Ltd	"...towards the cost to be incurred by the County Council in procuring two additional bus services from the property to Exeter City Centre and Marsh Barton or such other routes or destinations as may be approved by the owner." Scope widened in deed of variation of 31/01/2014 to include any transport improvements.	£400,000.00	£1,000,000	£24,779.47	PART		PART
03/1256/01	Digby Drive/Russell Way	Barriatt Homes Ltd Persimmon Homes Ltd	Pay £65,000 towards highway improvements.	£71,779.50	£65,000.00	£26,882.52	YES		PART
07/0397/03	Bishops Court Ind. Est., Sidmouth Rd	Citygrove	Payment of a traffic signal installation contribution	44070.67	£46,000.00	1929.33	YES		PART

Table 20: Financial Contributions Spent between 1 April 2012 and 31 March 2013

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Complied	Notes	Spent
08/0100/03	Former St Davids Garage, Bonhay Road	Montern Ltd	Payment of a contribution to DCC towards a Traffic Order	£354.32	£1,000.00	£645.68	YES		PART
11/0140/03	Townsend Printers, Western Way	MREF Exeter Property Co. Ltd.	Payment of a contribution for the making of orders to control parking in Toronto Road or elsewhere affected by student parking.	£2338.50	£7,000.00	£4661.50	YES		PART
Local Energy Network									
10/1594/03	RD&E Hospital, Gladstone Rd	Waitrose Ltd	Pay £94,000 towards the implementation of a Local Energy Network (LEN) scheme in the City Centre.	£83807.15	£94,000.00	£12809.88	YES		PART
						£226,473.63			

Table 21: Section 106 Sites Currently Being Monitored

Northern Area

Site	Status	Key issues
Episcopal Annex 08/1147/03	Development commenced	<ul style="list-style-type: none"> - Payment received in lieu of on-site play provision. Used at Looe Road. Play area improvements carried out Summer 2012. More improvements planned for 2013. - Money for off-site PA has been amalgamated with Richmond Yard off-site contribution for improvements to Bury Meadow play area (completed June 2009). - Approximately £10,000 spent on additional play equipment at Bury Meadow.
Polsloe Priory 02/1933/03	Residential development completed. Play area fundamentally complete. Open space issues remain outstanding.	<ul style="list-style-type: none"> - Limited progress has been made since a meeting between the Council and Persimmon Homes on 11 November 2008. - It is understood that work to the leachate plant has been carried out but no evidence as to its success has yet been received - Open space issues remain - It was agreed that Persimmon would produce one single remediation validation report. This has not been forthcoming. - ECC offer on the table to take on POS area on licence basis until such time as remediation properly validated.
Richmond Yard 03/1722/03	Development completed	<ul style="list-style-type: none"> - On-site play area - adoption completed Dec 2008. - Money for off-site PA amalgamated with Episcopal Annex off-site contribution for improvements to Bury Meadow play area (complete June 2009). - Approximately £10,000 of the amalgamated sum spent on additional play equipment at Bury Meadow. Project now complete.
Summerway/ Northbrook	Land swap (not section 106 agreement but included here for clarity).	<ul style="list-style-type: none"> - Open space adopted. - Lit cycleway and lit MUGA installed. - Play area has been installed using a 106 contribution. Further capital funded works are planned for Summer 2010. - Land swap complete.

Western Area

Site	Status	Key issues
County Ground 03/1611/01	Development completed.	<ul style="list-style-type: none"> - Contribution used to provide facilities in Cowick Barton Playing Field (including access paths and upgrading the play area.
Crossmead 08/1476/03	Approved and S106 complete.	<ul style="list-style-type: none"> - Open space and play area (£80,000) to be provided on site. Will not include a MUGA. The planning and design stage of the new facility is underway

Table 21: Section 106 Sites Currently Being Monitored

Site	Status	Key issues
Lavender Road 00/1015/01	Development completed.	<ul style="list-style-type: none"> - Play area installed but remedial work needed prior to adoption, including drainage works, relaying of safety surfaces and replacement of planting. No current solution to drainage problem. - A specialist remediation report has been prepared. - Site not yet adopted.
Kinnerton Way (Medley Court) 03/0200/03	Development completed.	<ul style="list-style-type: none"> - MUGA and community centre completed and handed over. Lights have now been provided. - Transfers now complete.
Oaklands, Cowick Lane 07/2654/03	Planning consent granted and S106 complete.	<ul style="list-style-type: none"> - Section 106 agreement completed. - £12,336 contribution to off-site leisure facilities.
PEOH 99/0442/01	Development completed.	<ul style="list-style-type: none"> - Phase 1 – Outstanding issues now resolved. Legal Section instructed on transfer. - Phase 2 – Adopted.
St Peter's Mount	Development completed.	<ul style="list-style-type: none"> - Discussions under way with developer over indemnity and insurance in respect of drainage issues on the large area there. Unlikely to be adopted unless remediated. - Adoption complete on all other areas
Water Lane 96/0684/03	Development completed.	<ul style="list-style-type: none"> - Contribution allocated to an allotment improvement project and project now complete.
137 & 137A Cowick Street 08/0165/03	Development commenced.	<ul style="list-style-type: none"> - Developer has offered to transfer 137 Cowick St to the Council for nil consideration with a contribution by the developer of £100,000 towards its refurbishment, as required by Agreement. - Property acquired August 2011. £100,000 plus RPI indexation received plus contribution from Age UK Exeter. Works now practically complete. Age UK Exeter in occupation under lease. Minor snagging works outstanding.
Southern Area		
Site	Status	Key issues
Digby, Kings Heath 02/0175/01	Complete	<ul style="list-style-type: none"> - All open space, recreation and play works complete. Small play area budget remains for which proposals are being developed. In conjunction with the Residents Association it has been decided that the remainder will part-fund the provision of a new outdoor table tennis table.
Exeter Trust House 07/2502/03	Under construction.	<ul style="list-style-type: none"> - Agreement provides for £15,400 for adult leisure provision. Received Aug 2008. The use of this budget was decided after extensive consultation with Newtown Residents Association and ward councillors. A selection of outdoor fitness equipment and an outdoor table tennis table were provided in Belmont Park during Summer 2009.
Royal Naval Stores Depot 02/1402/01	Commenced. Re-plan and new applications seem likely.	<ul style="list-style-type: none"> - Persimmon has commissioned a consultant re. contaminated land. Contaminated land survey yet to be received. - Remediation strategy being discussed with Environmental Health. - The S106 agreement does not stipulate that the POS should be offered for adoption prior to the occupation of a specific number of units. - New consent for part of the site requires, by condition, provision of related open space before more than 50% occupation. - Open space/play area design drawn up by ECC is being finalised by Persimmon, who will then seek approval. - A final design for the play equipment has now been agreed following public consultation.

Table 21: Section 106 Sites Currently Being Monitored

Site	Status	Key issues
Newcourt 07/2169/01	Planning permission granted 17 May 2010	<ul style="list-style-type: none"> - Section 106 agreement dated 12 May 2010.
Wyvern Barracks 03/2008/03	Under construction.	<ul style="list-style-type: none"> - The former clinic building on Shakespeare Rd is being transferred to the Council for the provision of housing. A footpath link between Shakespeare Rd and Well Oak has received planning consent. - The link to Wyvern Park is expected to be closed, such that the link will be between Shakespeare Road and Well Oak only. - £30,000 held from Well Oak and PEOH to contribute to facilities on this site alongside the £94,000 received from the developer for play equipment. MUGA now installed. - Extensive consultation with Wyvern Park Residents Association has taken place. The Council and WPRA are now in agreement on the design of the new play area – the scheme is being implemented and the play area will be open and in use in Summer 2010. - Some of the money will be used to improve Dicken's Drive Play Area, this sum is yet to be confirmed but will be in the region of £18 – 20,000. - The Dickens Drive contribution was made and that project has been completed.
St Loyes College 09/0832/01	Outline planning permission granted 24 September 2010.	<ul style="list-style-type: none"> - Original S106 agreement dated 23 September 2010. - A deed of variation of the original agreement relates to this site. It was required to take account of the new planning permission (1/0787/01) for development on the southern half of the original site. It ensures that financial contributions are paid either in respect of the original development or the new development but not both.
Beacon Lane 08/2213/02	Under construction.	<ul style="list-style-type: none"> - Section 106 agreement completed. - Open space (including play) facilities to a minimum estimated value of £71,187.00 to be provided on-site by the Council. - Contribution of £95,560 prior to first occupation for community facilities in the locality. - Committed sums negotiated for public open space and play equipment.

EXETER CITY COUNCIL

PLANNING COMMITTEE 24 JUNE 2013

APPEAL DECISIONS

1. SUMMARY

Three appeal decisions have been received since the last report. All were dismissed.

Oak Close, North Street, Heavitree, Exeter

Reference No: 12/0572/03

Proposal: Erection of a feather edged fence on top of a brick wall

Application Decision: Delegated refusal

Type of Appeal: Written Representations

Appeal Decision: Dismissed

Grounds:

The main issue was whether the proposal would preserve or enhance the character or appearance of the Heavitree Conservation Area.

The appeal related to a terraced house within the Conservation Area. The front garden has a low brick wall, behind which additional timber fencing and a timber door have been erected to screen views of the site from the pavement outside, which accommodates a bus-stop and public litter bin. Retrospective permission was sought for this fencing.

The Inspector considered the significance of this part of the Conservation Area to be associated with the linear pattern of development along North Street. Although housing in the street was of mixed design and appearance, there were also stretches of relatively consistent terraced housing facing North Street. The terraced houses on the western side of the road, including the appeal property, were characterised by frontages which featured a low brick wall behind which there was either vegetation or open areas.

The Inspector noted that the appeal property was the only house within the terrace that had a timber fence at this height along the pavement frontage. The effect of the fencing was to change the way in which the front garden of the appeal property was read when viewed from the street. By virtue of the height of the fence and the introduction of timber into the street scene, the frontage of the house was more reminiscent of an enclosed rear garden. As such, it did not reflect the appearance of the other terraced properties facing North Street.

The Inspector appreciated the Council's concern that approval of this proposal, which would change the character of this side of the road, could be used in support of similar schemes. He considered this to be not a generalised fear of precedent, but a realistic and specific concern. The impact of high fences being erected along the front boundaries of other properties on this side of North Street would interfere with the existing pattern of low walls which are characteristic of this area, thereby causing harm to the Conservation Area. Allowing this appeal would make it difficult to resist further planning applications for similar developments, and their cumulative effect would exacerbate the harm

As the Inspector considered the harm would be less than substantial the harm needed to be weighed against any public benefits associated with the development as advised in the NPPF. Although the fence improved privacy and security and helped to prevent littering of the front garden these were not public benefits and were therefore unable to outweigh concerns about the effect of the fence on the appearance of the Conservation Area.

The Inspector concluded that the proposal would not preserve or enhance the character or appearance of the Conservation Area contrary to DSP Policy CO6 and ELP Policy DG1 which seek high standards of design. The proposal would also be in conflict with the overarching principle of the NPPF to protect the historic environment. The harm to the heritage asset would be less than substantial but this harm would not be outweighed by public benefits.

The River Church, Northernhay Street

Reference No: 12/1074/03

Proposal: Replacement entrance doors

Type of Appeal: Written Representations

Appeal Decision: Dismissed

Grounds:

The main concern was the effect upon the character and appearance of the building, which is identified within the Exeter Local Plan (LP) as a Building of Local Importance; and whether the proposal would preserve or enhance the character and appearance of the St. David's Conservation Area (CA).

The appeal premises comprise a Victorian chapel, which has a three leaf entrance door with a multi-paned fanlight above. It forms part of the architectural significance of the locally important building and makes a pleasing contribution to the architectural quality and appearance of the CA. Whilst the provisions of the Equality Act 2010, (which requires a landlord to provide reasonable adjustment to their buildings to enable access to all) and the Public Sector Equality Duty under section 149 of the Equality Act 2010 were taken into consideration, it was concluded that the proposed replacement glass doors would have resulted in the loss of an important part of the original fabric of the building. This would diminish the architectural quality and erode the integrity of a building. The replacement doors, with a large expanse of glass, would also contrast awkwardly with the proportions and detailing of the host building. It would disturb the largely unaltered roadside elevation of a building which is prominent in the street and detract from its pleasing contribution to the CA. The proposal would conflict with the provisions of the development plan which are aimed at safeguarding the qualities of the CA and the architectural or historic value of the Building of Local Importance. The benefits of replacement glass doors would not have outweighed the harm and therefore the appeal did not succeed.

Southlands, Fore Street, Heavitree

Reference Nos: 12/0605/03 & 12/0606/07

Proposal: Ground floor extension on north west elevation and two storey extension on the north east elevation

Type of Appeals: Written representations

Appeal Decisions: Dismissed

Grounds:

Two issues were of concern relating to this application: firstly, whether the proposals would preserve the Grade II listed building, its setting and any features of special architectural or historic interest; whether it would preserve the setting of the adjacent Grade II listed buildings at 1 Bicton Place and 8 Mont Le Grand and preserve the character and appearance of the Mont Le Grand Conservation Area (CA) and; secondly, the effect upon the living conditions of neighbouring residents, having particular regard to the outlook of the occupiers of 15 Southlands and the outlook and light of the occupiers of 1 Bicton Place.

The significance of Southlands lies primarily in its architectural fabric as well as its historical associations with the local builder/architect William Hooper. Nevertheless, the remaining garden area typifies its high class suburban origins and assists in maintaining a sense of spaciousness around this nationally important building. It sets Southlands apart from 8 Mont Le Grand and 1 Bicton Place whilst also forming part of their setting. It was noted in the Inspector's report that the appellants' architect had given thoughtful consideration to the design of the proposed scheme, but even so the proposed two storey extension would have been very close to the boundary with 1 Bicton Place. As such it would have significantly eroded the garden space between the two listed buildings seriously diminishing the sense of spaciousness, impacting on both the listed buildings and the CA. Whilst the scheme would change the outlook from the windows of neighbouring properties the combination of distance and height would have avoided any overbearing impact for the occupiers, harmful overlooking or loss of light. It would have been unlikely to result in any harm to other residents. Even so, whilst living conditions would not be significantly harmed they did not outweigh the harm to the heritage assets and the appeals did not therefore succeed.

2. APPEALS LODGED

No appeals have been lodged since the last report.

RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling the report: -

Letters, application files and appeal documents referred to in report.

Available for inspection from: -

City Development, Civic Centre, Paris Street, Exeter (01392) 265223

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