

# Planning Committee Report 25/1042/FUL

## 1.0 Application information

Number:	25/1042/FUL
Applicant Name:	McCarthy And Stone Retirement Lifestyles Ltd
Proposal:	Erection of three-storey building for retirement living apartments with associated communal lounge, internal refuse and recycling store, electric buggy/bike store and house managers office. Creation of enlarged vehicular access onto Homefield Road, car parking, electrical substation, internal paths, landscaped grounds and creation of a permissive path. (Amended Plans).
Site Address:	School Playing Field Homefield Road Exeter
Registration Date:	1 August 2025
Link to Documentation:	<a href="https://exeter.gov.uk/planning-services/permissions-and-applications/related-documents/?appref=25/1042/FUL">https://exeter.gov.uk/planning-services/permissions-and-applications/related-documents/?appref=25/1042/FUL</a>
Case Officer:	Howard Smith
Ward Members:	Cllr Lucy Haigh, Cllr Catherine Rees

REASON APPLICATION IS CONSIDERED BY COMMITTEE. The Service Lead City Development considers the application to be a significant, controversial and/or sensitive application that should be determined by the Planning Committee in accordance with the Exeter City Council Constitution.

## 2.0 Summary of recommendation

DELEGATE to the Service Lead City Development to GRANT permission subject to completion of a S106 Agreement relating to matters identified and subject to conditions as set out in report, but with secondary recommendation to REFUSE permission in the event the S106 Agreement is not completed within the requisite timeframe.

## 3.0 Reason for the recommendation:

Having regard to the detailed assessment set out in this report, including the Planning Balance (Section 16), and taking into account paragraph 11 of the National Planning Policy Framework (December 2024), it is considered that the public benefits of the proposal — in particular the provision of 36 age-restricted dwellings in a highly sustainable location to help meet identified housing need — outweigh the less than

substantial harm identified to the Heavitree Conservation Area and the setting of nearby heritage assets, together with any other identified harms.

On that basis, the application is recommended for approval, subject to the completion of a section 106 agreement and the conditions set out in this report.

#### 4.0 Table of key planning issues

Issue	Conclusion
1. Principle of development	<p>The site is an undeveloped greenfield site within the urban area, agricultural land and later a school sports field, with no established history of public amenity access.</p> <p>Given its highly sustainable location, the proposal aligns with the spatial strategy of directing development to accessible sites within the urban area</p> <p>Although brownfield land is prioritised in the spatial hierarchy, the site also meets the relevant objectives for accessible urban development.</p> <p>The open space is subject of policy protection which requires the proposal's impacts to be assessed.</p> <p>The scheme mitigates effects on character of the area through retaining and strengthening the perimeter tree belt, but some harm is nevertheless identified.</p> <p>As the site has not provided public recreation, it is not considered that development would result in detriment to local recreational opportunities, with limited positive weight given to the proposed public access and off-site sports pitch contribution to be provided.</p>

Issue	Conclusion
<p>2. Impact on heritage assets</p>	<p>Potential for archaeological remains of significance needs to be investigated with in the terms of a Written Scheme of Investigation.</p> <p>The proposed development would introduce a built form into the central open space of the former school playing field. The tree bounded open space site makes a positive contribution to the Conservation Area and the setting of adjacent locally listed buildings.</p> <p>The proposed development retains boundary tree screening, and the contribution of the trees to the Conservation Area is considered to be preserved.</p> <p>The development of the building set centrally within the space and set back from the tree lined boundaries will result in the loss of the openness of the space and there is some harm.</p> <p>However, it is not considered that the significance or character of the Conservation Area is destroyed and that the significance and history of the site will still be legible in the townscape.</p> <p>Overall, it is considered that the heritage harm that would result is less than substantial harm which can be weighed against the public benefits of the scheme.</p>
<p>3. Scale, design, layout and appearance</p>	<p>Development would result in the loss of the site's central open space as a visual amenity; however, the layout has been refined to balance a stronger relationship with Homefield Road against the constraints of retained trees</p>

Issue	Conclusion
	<p>and nearby properties, with the entrance forecourt accommodating turning and better screening parking while providing access to the permissive route. The overall design strategy is supported, with principal elevation addressing Homefield Road a three-storey form set back from the street to achieve acceptable massing and to avoid unacceptable impacts on neighbouring privacy, outlook or daylight. The proposal delivers a high-density flatted scheme which aligns with national and local policy support for the efficient use of land. Some reservations remain regarding aspects of elevation hierarchy, a more robust palette could strengthen identity; these matters, alongside detailed hard/soft landscaping, can be controlled through conditions.</p>
<p>4. Impact on Trees, ecology and biodiversity</p>	<p>The scheme retains and reinforces the defining boundary tree belt and, with additional planting and long-term management, is expected to maintain its contribution to townscape quality. The proposed development involves the removal of 3 trees for the formation of the access. The landscape proposals include the planting of 29 trees.</p> <p>Development proposals retain and reinforce the vegetated boundaries. The following matters are proposed to be secured by conditions: A bat mitigation strategy, ecological mitigation for reptiles, badgers, wild birds and great crested newts, Construction Environmental Management Plan, A Landscape and Ecological Management Plan for all retained habitats, wildlife features and landscaped areas during construction.</p>

Issue	Conclusion
	<p>The proposed development results in an overall reduction in measured biodiversity on site. The development includes enhancement, through landscape planting including tree planting and the introduction of bat and bird boxes but will require off-site measures to be secured to achieve overall 10% Biodiversity Net Gain statutory requirement.</p> <p>The impact on the Exe Estuary SPA will be mitigated in line with the South-east Devon European Site Mitigation Strategy through a s106 contribution with respect to the development which is not CIL liable.</p>
<p>5. Sustainable Construction and Energy Conservation</p>	<p>Current Building Regulations requirement exceeds the requirement of adopted Local Plan Policy CP15 in respect of residential development. The measures set out in the applicants Energy Statement can be secured to be delivered on site by condition.</p> <p>A sustainable construction waste strategy will be secured by a condition.</p>
<p>6. Provision of older peoples housing</p>	<p>Exeter Local Housing Needs Assessment December 2024 identifies a need for additional housing for older people of all types in the period to 2041 including market housing with support of 342 units. The development will therefore make a substantive contribution towards meeting identified need.</p>
<p>7. Travel, Access and Parking</p>	<p>The proposed access strategy is considered acceptable.</p> <p>The site is in a highly sustainable location where journeys to access local services can be made by sustainable modes and on street parking is</p>

Issue	Conclusion
	<p>controlled by a residents parking scheme.</p> <p>It is not considered that there are grounds for refusal of the application for highways reasons.</p> <p>The introduction of a permissive pedestrian route along the southern edge is therefore welcomed, it has not been possible to accommodate a segregated cycling route or step free route due to topography and tree protection constraints.</p>
8. Flood Risk and Surface Water Management	The site is in Flood Zone 1. The proposals would manage surface water within the site attenuating the run-off rate to green field rate.
9. Pollution	<p>The site has been identified as unlikely to be subject of ground contamination, however a condition is proposed on precautionary basis should contamination be uncovered during construction.</p> <p>Fore Street Heavitree is part of the designated Air Quality Management Area. The development is not considered likely to have a materially detrimental impact on air quality in the AQMA.</p>
10. Housing supply	The development would provide 36 dwellings. The Council is not currently able to demonstrate a 5-year housing land supply (supply as of 01 April 2025 was 4 years 3.2 months).
11. Affordable Housing	Provision should be made by the development for Affordable Housing at 35% of units. This equates to 12.6 units. It is accepted that an off-site contribution towards the delivery of affordable housing elsewhere in the city is acceptable. The applicant has submitted a viability appraisal to which

Issue	Conclusion
	has demonstrated to the satisfaction of officers that the development cannot afford the full contribution but that a contribution of circa £1.07m for affordable housing delivery is appropriate.
12. Mixed Communities	The provision of 36 units of age restricted housing is not considered to result in an over concentration of this particular housing type in the area of the site.
13. Economic benefits	The development would provide economic benefits in construction phase and in occupation.
14. Community Infrastructure Levy (CIL) and New Homes Bonus	The development will not be CIL Liable under the current CIL charging regime as the development is flatted. New Homes Bonus will be received on the basis of increased dwelling numbers.
15. Planning Obligations	<p>The application has been subject to a viability process, and the package of S106 obligations have been secured on the basis of viability at a level of £1,282,000 for all contributions and associated fees.</p> <ul style="list-style-type: none"> <li>• £95,000 towards off-site sport pitch provision</li> <li>• £14,518 NHS Devon ICB towards provision of GP Surgeries</li> <li>• £46,249.56 Exe Estuary Management Contributions</li> <li>• Travel Plan measures</li> <li>• circa £1.07m off-site affordable housing contribution</li> </ul>

## 5.0 Description of site

The site on Homefield Road was a playing field of the former Bramdean School. Homefield Road bounds the site to the west, Park Place to the south, and Goldsmith Street to the east. To the north the site is bounded by the gardens of residential properties. Park Place is narrow with no pavement on the north side and is one way

to vehicular traffic. There is also no pavement on west side of Homefield Road along the site boundary.

The 0.5 hectare site is approximately rectangular, around 65m wide east to west, and averaging around 80m north to south. There are belts of mature trees on the western and southern sides, substantial grouped tree cover on the northern side, and trees on the eastern side. Trees on the site are protected by Tree Preservation Order (TPO) number 692 which was confirmed on 28 January 2025.

The site is located in (and abutting the northern edge of) the Heavitree Conservation Area. Homefield Road has locally listed buildings opposite the site and on the southern approach to it.

Although formerly used as a school playing field, it has never had public use; its primary contribution is visual relief and the strong landscape structure provided by perimeter trees, which are subject to a TPO, and are recognised as important to the character of the area.

The immediate surrounding area is almost entirely residential. Heights vary within the locale, which is predominately residential, ranging from two-storeys to four storeys (including a semi-basement and a mansard roof).

The site lies within the Heavitree Conservation Area, and the site is identified as a 'positive site', valued for its openness, tranquillity, and mature tree boundaries within an otherwise densely developed townscape.

This site is 200m to the north of Fore Street Heavitree. To the southeast is Heavitree Medical Centre and adjoining the St. Michaels Primary School.

## **6.0 Description of development**

Erection of a three-storey building for 36 retirement living apartments, 20 one-bed and 16 two-beds, with associated communal lounge, internal refuse and recycling store, electric buggy/bike store and house managers office.

Creation of enlarged vehicular access onto Homefield Road and car parking for 25 cars with turning head.

Creation of paths, landscaped grounds and a permissive path between Homefield Road and Goldsmith Street, with garden with seating.

## 7.0 Supporting information provided by applicant

Tree Survey Impact Assessment  
Heavitree Exeter – Design and Access Statement  
Preliminary Ecological Appraisal  
Energy Statement  
Desk Top Study  
Ground Condition Assessment  
Travel Plan  
Exeter Specialist Housing Need  
Lighting Assessment Strategy Report  
Noise Impact Assessment  
Statement of Community Involvement (SCI)  
Financial Viability Appraisal (FINAL) July 2025  
Planning Statement  
CIL Form 1  
Playing Fields and Open Space Assessment  
Heritage Statement  
Visual Representations  
Desk Based Archaeology Report  
2385-KC-XX-YTREE-Technical Note 01 Rev A  
2385-KC-XX-YTREE-Tree Protection Plan01 Rev B  
Design and Access Statement addendum - Landscape Design Amendments  
Proposed Drainage Strategy Report v4  
Transport Statement V2  
Biodiversity Net Gain Assessment V2  
BNG post intervention plan  
BNG baseline plan  
The Statutory Biodiversity Metric Condition Assessments V4  
The Statutory Biodiversity Metric Calculation Tool V5  
Proposed Drainage Strategy Report v5  
Ecological Assessment  
Proposed Drainage Strategy Report v6

## 8.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
25/0795/TPOEX	Removing deadwood/trees as per the spec	PRQ	26.09.2025
25/1042/FUL	Erection of three-storey building for retirement living apartments with associated communal lounge,	PCO	

	internal refuse and recycling store, electric buggy/bike store and house managers office. Creation of enlarged vehicular access onto Homefield Road, car parking, electrical substation, internal paths, landscaped grounds and creation of a permissive path. (Amended Plans).		
25/1166/TPO	T1 Lime re-pollard T2 Sycamore remove major dead wood T3 Sycamore (dead) Fell. T4 A group. Remove dead stems T5 Sycamore remove major dead wood T6 Lime remove major dead wood T8 Lime re-pollard T9 Lime remove major dead wood T11 Lime remove major dead wood	PER	22.10.2025

## 9.0 List of constraints

Airfield Safeguarding: All buildings, structures, erections and works exceeding 45 metres in height (147.6 feet) should be notified, and birds action.

Bombs and Crater points: ref 109

Conservation Area Heavitree

Local Plan Policy: Open Space Playing Pitches

Tree Preservation Order 692

## 10.0 Consultations

All consultee responses can be viewed in full on the Council's website.

**Historic England:** The proposed development of the "School Playing Field" adjacent to Homefield Road will result in the total loss of a positive site through the removal of its green open character, as well as the introduction of an anodyne design solution within the Heavitree Conservation Area. Historic England has strong concerns as the scheme does not preserve or enhance its character and appearance as required by the Listed Buildings and Conservation Areas Act 1990. The proposal will also be in conflict with your Council's own conservation area appraisal. The council need to be satisfied that development on this site can be justified and if so, an alternative design response should be identified focused on retaining the experience of the open space.

**Natural England:** Standard Advice given.

**Sport England:** Although the field has not been used for at least five years and consultation with Sport England was therefore non-statutory, the proposal has been assessed against the National Planning Policy Framework and Sport England's Playing Fields Policy. Sport England's overarching position is to resist the loss of playing fields unless one of five policy exceptions is met. The site is identified in the Exeter Playing Pitch Strategy (PPS, 2022) as a closed school site with potential to contribute to youth football provision, although it is ranked lowest in the priority order. The PPS identifies wider shortfalls across Exeter for youth football, cricket and rugby, but the application site is constrained in size and cannot accommodate a 9v9 or 11v11 football pitch, full-size 3G pitch, cricket ground, rugby pitch, or other formal pitch types. It is only potentially suitable for smaller formats such as 5v5 or 7v7 football, for which the PPS identifies no unmet need. While the applicant has demonstrated that the site cannot realistically meet identified pitch needs, they have also acknowledged that there is not an overall surplus of playing field provision in Exeter. As a result, the proposal does not fully satisfy Sport England Policy Exceptions 1 or 4. Direct on-site replacement is considered impractical due to the site's limitations. To mitigate the loss, the applicant proposes a £95,000 financial contribution, equivalent to the cost of delivering a 9v9 youth football pitch in line with Sport England's Facility Cost Guidance (Q3 2024). Sport England considers this approach pragmatic and proportionate, provided the contribution is secured through a planning obligation, paid prior to commencement, ring-fenced, spent within five years, and directed to agreed projects within the Exeter Playing Pitch Strategy. Further clarity is required on the specific mitigation projects and the methodology for claimed Match Equivalent Sessions, and Sport England requests re-consultation once these details are confirmed.

**National Playing Fields Association:** No response received.

**RSPB:** No response received.

**Devon & Somerset Fire & Rescue Service:** the amended drawings appear (without prejudice) to satisfy the criteria we would require for B5 access under Building Regulations. Access and facilities for the Fire Service are set out in detail in Approved Document B (Fire Safety) Volume 2: Buildings other than dwellings. The Fire and Rescue Authority is a statutory consultee under the current Building Regulations and will make detailed comments at that time when consulted by Local Authority Building Control (or a registered building control approver).

**Police Designing Out Crime Officer:** Comments, recommendations and prospective conditions regarding boundary treatments, CCTV, lighting, management and wayfinding are made. They are aimed at reducing the opportunity for crime and anti-social behaviour (ASB) and will also ensure compliance with both national and local planning guidance.

**NHS Devon Integrated Care Board:** The application has been reviewed from a primary care perspective and has assessed that a contribution of £14,518 towards increasing primary care infrastructure is necessary to make the application acceptable in planning terms. 36 dwellings and this will create an estimated population of 48 new residents within the development based on an average household size of 1.34. The closest GP surgeries to the proposed development are Barnfield Hill Surgery, Heavitree Practice, Isca Medical Practice and South Lawn Medical Practice. The current combined medical centres providing primary care have insufficient capacity and will not be able to absorb the increased patients arising from the proposed development. The only way to mitigate the impact is to increase the physical capacity of the existing surgeries. The ICB has carefully calculated the space needed to mitigate the impact, drawing upon the document "Health Contributions Approach: GP Provision - Development Contribution Methodology". Without the contribution to increase the physical capacity, the proposed development will put too much strain on the said health infrastructure.

**The Royal Devon University Healthcare NHS Foundation Trust:** Our NHS contract is agreed annually based on the previous year's activity plus any pre-agreed additional activity for clinical services. The Trust nor its Commissioners are able to take into consideration the Council's housing land supply, potential new developments and housing trajectories when the annual contracts and funding arrangements are negotiated. The funding is not able to be changed even if the health care providers or commissioners have knowledge of new housing development through the consultation process, during the local plan process or otherwise. Section 106 of the Town and Country Planning Act 1990 (as amended) allows the Local Planning Authority to request that a developer contributes towards the impact a development creates on services. The contribution of £ 6,800 sought will go towards the gap in the funding created by each potential patient from this development. Detailed explanations and calculations are provided.

**South West Water:** No response received

**Wales and West Utilities:** We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of General Conditions for your guidance. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used.

**Western Power Distribution:** No response received.

**Local Highway Authority (Devon County Council):**

Site Context: The application site comprises a former school playing field bounded by Homefield Road, Park Place and Goldsmith Street. Footways are present on surrounding roads, though Park Place is narrow and formal crossing opportunities for non-motorised users (NMUs) are limited. The site is well located for sustainable travel, with nearby Local Cycling and Walking Infrastructure Plan routes, frequent bus services on Heavitree Road, and a 20mph speed limit on Homefield Road. A modal filter on Homefield Road limits through traffic.

Traffic Impact: A Transport Statement has been submitted and reviewed. Traffic generation is forecast to be low, with approximately 2 vehicle movements in the AM peak, 3 in the PM peak, and around 55 movements over a 12-hour day. Pedestrian movements are estimated at approximately 42 per day. Speed surveys confirm vehicle speeds below the posted 20mph limit. On this basis, the development is not considered to give rise to an unacceptable impact on highway safety in NPPF terms.

Access and Design Considerations: Vehicular access is proposed from Homefield Road. Visibility splays are acceptable in accordance with Manual for Streets guidance, reflecting the low traffic speeds and volumes, subject to being maintained in perpetuity. Pedestrian facilities, including a short length of footway with dropped kerbs and tactile paving, are proposed and welcomed. An additional pedestrian and cycle connection through the site between Homefield Road and Goldsmith Street would be beneficial. Internal layout and vehicle tracking demonstrate that service and refuse vehicles can safely access the site.

Parking and Sustainable Transport: The development proposes 25 car parking spaces, informed by evidence from comparable sites. Although this is below a one-space-per-dwelling ratio, the site's sustainable location is a material consideration. Electric vehicle charging is required for all parking spaces. Cycle and mobility scooter storage is proposed and must accord with Exeter City Council's Sustainable Transport SPD.

Travel Plan and Other Matters: A Travel Plan has been submitted and is broadly acceptable, subject to being secured through an appropriate legal mechanism. The site lies close to a residents' parking zone; future occupants would not be supported for residents' parking permits, and this should be clearly communicated to residents. A Construction Management Plan is required to manage construction traffic impacts, particularly on Heavitree Road and surrounding residential streets. Drainage from the site must not discharge onto the public highway.

Conclusion: The Highway Authority raises no objection to the proposed development on highway grounds, subject to the imposition of appropriate planning conditions and mitigation measures as outlined above.

**Lead Local Flood Authority (Devon County Council):** The applicant submitted a revised Proposed Drainage Strategy Report. We have no in-principle objections to the above planning application at this stage, assuming that the recommended pre-commencement planning condition, which requires approval of detailed drainage design and management arrangements prior to commencement are imposed on any permission,

**Waste Planning Authority (Devon County Council):** The Waste Planning Authority advises that major developments must submit a Waste Audit Statement addressing waste prevention, management according to the waste hierarchy, quantities and types of construction and excavation waste, targets for reuse and recycling, auditing methodology, and details of disposal methods with justification for sustainability. The authority also recommends ensuring adequate waste storage provision for the operational phase of the development.

**Environmental Health (ECC):** Recommend approval with conditions relating to Contaminated Land, noise insulation, lighting and construction management.

**Public & Green Spaces Team (ECC):** No response.

**Dorset County Ecology (ECC):** The Preliminary Ecological Appraisal (PEA) (Somerset Wildlife Trust Consultancy, January 2025) provides an adequate basis for an Ecological Impact Assessment (EclA) and identifies appropriate mitigation for relevant ecological receptors. The additional reptile survey is acceptable, and a partial bat activity survey has been undertaken. Although further bat surveys are recommended and this approach does not fully align with government guidance, given the site context and the retention of vegetated boundaries, the limited bat data is not considered to preclude the grant of permission. This conclusion is subject to a pre-commencement condition requiring submission of a bat mitigation strategy.

Protected species are a material planning consideration and government guidance set out in *Protected Species and Development* should be followed. The results of the reptile, bat activity and tree bat roost surveys should be incorporated into an updated EclA. Given records of hedgehog, the EclA should also include precautionary mitigation for hedgehog, in addition to badger mitigation.

The EclA should assess the effects of lighting, particularly on bats, and provide for bird nesting and bat roosting boxes in accordance with the Exeter Residential Design Supplementary Planning Document. The proposal is subject to the statutory Biodiversity Net Gain (BNG) requirement. Submitted information confirms that the development cannot achieve the mandatory 10% BNG on site and will therefore require off-site provision. Land required for protected species mitigation cannot contribute to BNG and may increase the level of off-site provision required.

If permission is granted, mitigation for reptiles, badgers, wild birds and great crested newts should be secured by condition, including a pre-commencement Construction Environmental Management Plan and a pre-occupation Landscape and Ecological Management Plan for retained habitats and ecological features.

**Arboricultural Response (ECC):** The submission of the further information, which addresses earlier comments is noted. On balance, the proposal appears to retain the key trees on site and does not place high levels of long-term pressure for future removal or pruning.

**Heritage Officer (ECC):** Written comments to follow.

**Urban Design and Landscape Officer (ECC):** The site lies within the Heavitree Conservation Area and is identified as a 'positive site', valued for its openness, tranquillity, and mature tree boundaries within an otherwise densely developed townscape. Although formerly used as a school playing field, it has never had public access; its primary contribution is visual relief and the strong landscape structure provided by perimeter trees, which are recognised as important to the character of the area.

The proposed access strategy is considered sensitive, with vehicular access from Homefield Road and a secondary pedestrian access to Goldsmith Street carefully positioned to avoid harm to existing trees. This approach preserves the defining boundary conditions of the site and, with appropriate long-term landscape management, should ensure their continued contribution to townscape quality.

Development will result in the loss of the central open space as a visual amenity. However, its current recreational and ecological value is limited due to the lack of public access and its mown grass character, aside from the retained perimeter trees. The introduction of a permissive pedestrian route along the southern edge is therefore welcomed, improving permeability and social integration and providing an alternative to Park Place. While the route cannot be fully step-free or accommodate segregated cycling due to topography and tree protection constraints, this is not seen as a significant drawback given the low traffic levels in the surrounding streets.

The entrance forecourt design has been positively refined through discussions with the applicant, resulting in a calmer, less cluttered space that successfully accommodates vehicle turning. The building's overall strategy is also supported: principal facades address Homefield Road and Goldsmith Street, with end elevations facing Park Place and the northern edge. The articulation of the Homefield Road elevation as linked villas and the Goldsmith Street frontage as a U-shaped form responding to views along Alpha Street are considered appropriate contextual responses. Cross-sections demonstrate that the three-storey scale, set back from street frontages, achieves acceptable massing within the established townscape.

Some reservations remain. The ground floor appears overly diminutive in relation to local Georgian and Victorian precedents, which typically express a stronger vertical hierarchy. The building's alignment prioritises Goldsmith Street and Park Place rather than Homefield Road, which is noted as the higher-status street; a stronger urban relationship with Homefield Road may have been preferable. Similarly, the Park Place elevation's parallel alignment and plain character risk unfavourable comparison with the more varied surrounding buildings.

Materially, while render is common in the Conservation Area, reliance on pastel-coloured render alone for a large institutional building is seen as a weakness.

Introducing self-finished materials such as brick or natural stone could enhance quality and identity. Soft landscape proposals are broadly acceptable, but detailed planting, hard landscape materials, and fixtures should be secured through planning conditions.

**Waste & Recycling Team (ECC):** No response received.

**Devon Archaeological Society:** No response received.

**Devon Wildlife Trust:** No response received.

**Public Health Devon:** No response received.

**Exeter Civic Society:** We have significant concerns with the application on the following matters: The site is open space in a Conservation Area, and it is questionable whether the proposed development sustains and enhances this status. Highways Issues. Considering the likely infirmity of the residents there is poor connection to local services. Elderly residents wanting to visit the corner shop or surgery which is very close by will need to go uphill to Homefield Road then down Park Place which is currently not good for pedestrian or wheelchair movement. The design is too monolithic. The cleverly thought-out front elevation with a blind arcade won't be appreciated in public views from Homefield Road. The sloping site could be used to incorporate parking under the building which would allow more open space on the site. We would therefore request that the Council refuses the application as currently shown although a revised scheme may mitigate some of these harms. We welcome pedestrian access at the lower end of the site. Details of the levels (there should be no steps) and how the gate will be locked etc. need to be provided to show that visitors can enter from this direction. The lower part of the residential green space is not level and will therefore be inaccessible to those with mobility issues. Levels should be adjusted so that all residents can access the gardens rather than just viewed from the small community patio area.

**Exeter Cycling Campaign:** Object to this development as there is insufficient, dedicated cycle parking for the flats indicated, and no thought has been given to the storage and use of adapted cycles by residents. Visitor's spaces should be covered and staff facilities to support cycle use should be provided.

**Disability Access Champion, Living Options Devon:** No response received.

**Design Review Panel:** The Scheme was reviewed at Pre-Application Stage with the panel expressing the following commentary:

The Design Review Panel welcomed early engagement and acknowledged the quality of analysis undertaken to date, noting the experience of the client and design

team. While the Panel did not comment on the principle of development, it advised that any loss of open space would require a robust justification, addressing its contribution to the conservation area, biodiversity, green infrastructure, health and wellbeing, and climate change mitigation.

Concerns were raised that the scale and form of the proposed building may not be readily assimilated into the surrounding context. The Panel encouraged a reassessment of the design approach with greater reference to local urban grain and typologies, and stronger engagement with surrounding streets, particularly to the east, Goldsmith Street and Alpha Street. Opportunities were identified to deliver public benefit through improved pedestrian connectivity, public realm provision and better integration with the existing neighbourhood.

The Panel supported the preparation of a comprehensive heritage assessment and recommended further analysis of the site's history, boundary treatments and the role of the open space within the wider conservation area. It also advised re-conceptualising the proposed car park as a landscaped, pedestrian-prioritised space, potentially supported by reduced parking provision, alongside improved sustainable drainage and biodiversity enhancements.

Overall height and quantum were considered broadly acceptable in principle, subject to detailed refinement, including potential variation in storey heights to reduce perceived scale. The Panel emphasised the importance of clearly articulated sustainability objectives and further consideration of internal layout, amenity provision and circulation to support residents' health and wellbeing.

**Representation from ECC Ward Cllr Lucy Haigh.** Objects to the proposed development. Key concerns include parking provision, given car ownership levels among residents and frequent visits from carers, healthcare professionals, and family members. This is expected to worsen existing parking, congestion, and road safety issues on surrounding streets. Also questions the need for additional retirement accommodation in the area and raises doubts that the development would free up family housing through downsizing. Significant weight is placed on the loss of one of the last remaining green spaces in this part of Heavitree, valued for its mature trees, wildlife, and contribution to local amenity. The Councillor objects that alternative community-led uses would better serve local wellbeing and cohesion. It is also stated that the former landowner had wished the land to remain green for community benefit. The permissive path is neither inclusive nor accessible. Concerns are also raised that the proposed planting along Park Place will spaces that feel unsafe, particularly in winter months. The objection includes the treatment of trees and potential harm to the historic Goldsmith Street boundary wall. It notes that the scheme's traffic impacts would undermine pedestrian and cycle safety. The development is too large, out of character, exclusionary in design, and located on land that residents wish to remain open and green.

## **11.0 Representations**

123 objections received raising the following concerns:-

- Loss of a long-standing greenfield / playing field and permanent reduction in local open space
- Conflict with the Exeter Plan, Local Plan, and green infrastructure policies
- Loss of community amenity and informal recreation space for children, families, and schools
- Missed opportunity for alternative community uses (park, playing field, allotments, orchard, garden, woodland)
- Harm to biodiversity, wildlife habitats, and ecological corridors
- Presence of protected species (especially bats) and inadequate ecological surveys
- Loss or damage to mature trees, including those with Tree Preservation Orders
- Replacement planting considered inadequate or misleading in net-gain calculations
- Increased traffic on narrow, congested residential streets
- Highway safety risks for pedestrians, cyclists, children, and school routes
- Conflict with designated or emerging cycle routes and active-travel objectives
- Insufficient on-site parking leading to overspill and resident stress
- Construction impacts including noise, dust, vibration, mud, and road damage
- Overdevelopment of a constrained site
- Building height, massing, and flat-roof design out of character with surrounding area
- Harm to the Heavitree Conservation Area and historic setting
- Risk to historic boundary walls and lack of archaeological assessment
- Overshadowing, loss of daylight, overlooking, and loss of privacy to neighbouring homes
- Noise and light pollution during construction and operation
- Pressure on GP surgeries, NHS services, drainage, and local infrastructure
- Questionable local need given existing retirement and care home capacity
- Oversupply of retirement accommodation locally and city-wide
- Affordability concerns, high service charges, and risk of long-term vacancy
- Development perceived as profit-driven rather than community-led
- Existence of covenants or historic expectations restricting development
- Lack of trust in consultation process and supporting technical reports

#### 4 representations in support for the following reasons

- Provision of housing for an ageing population
- Retirement housing helping to free up larger family homes
- Use of underused or poorly maintained land brought back into active use
- Location close to shops, healthcare, public transport, and amenities
- Development considered quieter and lower-impact than alternative housing types

- Building design and landscaping viewed as attractive and appropriate
- Managed maintenance of trees and grounds seen as beneficial
- Economic benefits to local services and businesses
- Belief that traffic and parking impacts will be limited due to lower car ownership
- View that on-site parking provision is adequate
- Perception that wildlife and visual impacts will be short-term or manageable

## 12.0 Relevant policies

### National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (December 2024) – in particular sections:

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

Planning Practice Guidance (PPG):

Air Quality  
 Appropriate assessment  
 Climate change  
 Community Infrastructure Levy  
 Design: process and tools  
 Effective use of land  
 Flood risk and coastal change  
 Healthy and safe communities  
 Historic environment  
 Housing needs of different groups  
 Housing for older and disabled people  
 Housing: optional technical standards

Housing supply and delivery  
Land affected by contamination  
Light pollution  
Natural environment  
Noise  
Open space, sports and recreation facilities, public rights of way and local green space  
Planning obligations  
Renewable and low carbon energy  
Travel Plans, Transport Assessment and Statements  
Use of planning conditions  
Viability  
Waste  
Water supply, wastewater and water quality

### Development Plan

Core Strategy (Adopted 21 February 2012)

CP1 – Spatial Strategy

CP3 – Housing

CP4 – Density

CP5 – Mixed Housing

CP7 – Affordable Housing

CP9 – Transport

CP10 – Meeting Community Needs

CP11 – Pollution

CP12 – Flood Risk

CP15 – Sustainable Construction

CP16 – Green Infrastructure, Landscape and Biodiversity

CP17 – Design and Local Distinctiveness

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

AP1 – Design and Location of Development

AP2 – Sequential Approach

H1 – Search Sequence

H2 – Location Priorities

H3 – Housing Sites

H5 – Diversity of Housing

H7 – Housing for Disabled People

- L3 – Protection of Open Space
- L4 – Provision of Playing Pitches
- L5 – Loss of Playing Fields
- L7 – Local Sporting Facilities
- T1 – Hierarchy of Modes
- T2 – Accessibility Criteria
- T3 – Encouraging Use of Sustainable Modes
- T9 – Access to Buildings by People with Disabilities
- T10 – Car Parking Standards
- C1 – Conservation Areas
- C2 – Listed Buildings
- C3 – Buildings of Local Importance
- C5 – Archaeology
- LS4 – Nature Conservation
- EN2 – Contaminated Land
- EN3 – Air and Water Quality
- EN4 – Flood Risk
- EN5 – Noise
- EN6 – Renewable Energy
- DG1 – Objectives of Urban Design
- DG2 – Energy Conservation
- DG4 – Residential Layout and Amenity
- DG5 – Provision of Open Space and Children’s Play Areas
- DG6 – Vehicle Circulation and Car Parking in Residential Development
- DG7 – Crime Prevention and Safety

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

- W4 – Waste Prevention
- W21 – Making Provision for Waste Management

The Exeter Plan – Publication Plan: Regulation 19 (Draft) (December 2024) (Not Adopted)

- S1 – Spatial Strategy
- S2 – Liveable Exeter Delivery Principles
- CC1 – Net Zero Exeter
- CC3 – Flood Risk
- CC5 – Future Building Standards
- CC6 – Embodied Carbon

CC7 – Development Resilient to and Adaptive to Climate Change  
CC8 – Flood Risk  
CC9 – Water Quality and Quantity  
H1 – Housing Requirement  
H2 - Housing allocations and windfalls  
H4 – Affordable Housing  
H8 – Homes for Older People  
H14 – Accessible Homes  
H15 – Housing Density and size mix  
H16 – Residential Amenity and healthy homes  
STC1 – Sustainable Movement  
STC2 – The Transport Hierarchy  
STC3 – Supporting Active Travel  
STC4 – Supporting Public Transport  
STC5 – Supporting more sustainable forms of car use  
STC6 – Travel Plans  
NE3 – Biodiversity  
NE6 – Urban Greening Factor  
HH1 – Conserving and Enhancing Heritage Assets  
HH2 – Conservation Areas  
HH3 - Archaeology  
D1 – Design Principles  
D2 - Designing Out Crime  
HW1 – Health and Wellbeing  
HW2 – Environmental quality, pollution, and contaminated land  
IF2 – Viability  
IF3 - Community Facilities  
IF4 – Open space, play areas, allotments and sport

Exeter City Council Supplementary Planning Documents:

Affordable Housing SPD (April 2014)  
Sustainable Transport SPD (March 2013)  
Planning Obligations SPD (April 2014)  
Public Open Space SPD (Sept 2005)  
Residential Design SPD (Sept 2010)  
Trees and Development SPD (Sept 2009)

Devon County Council Supplementary Planning Documents:

Minerals and Waste – not just County Matters Part 1: Waste Management and Infrastructure SPD (July 2015)  
Liveable Exeter Principles – A city-wide initiative of transformational change (2022)  
Exeter Density Study (July 2021)  
Net Zero Exeter 2030 Plan (Exeter City Futures, April 2020)  
First Homes Planning Policy Statement (June 2021)  
South-east Devon European Site Mitigation Strategy (June 2014)  
Archaeology and Development SPG (November 2004)

#### Other material considerations

National Design Guide (MHCLG, 2021)  
National Model Design Code (MHCLG, 2021)  
“Building for a Healthy Life” (Homes England’s updated Building for Life 12)  
GPA3 – The Setting of Heritage Assets (Historic England, December 2017)  
HEAN 2 – Making Changes to Heritage Assets (Historic England, February 2016)  
Manual for Streets (CLG/TFT, 2007)  
Cycle Infrastructure Design Local Transport Note 1/20 (DfT, July 2020)  
Protected species and development: advice for local planning authorities (Natural England and DEFRA, 7 January 2021)  
Protected sites and areas: how to review planning applications (DEFRA and Natural England, 5 August 2016)  
Biodiversity duty: public authority duty to have regard to conserving biodiversity (Natural England and DEFRA, 13 October 2014)  
Guidance for Outdoor Sport and Play Beyond the Six Acre Standard England (Fields in Trust, 2020)  
Heavitree Conservation Area Appraisal  
Design Guide  
Exeter Playing Pitch Strategy (PPS, 2022)

### **13.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council’s website.

It is acknowledged that there are certain properties where they may be some impact. However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary

in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme in terms of provision of housing and affordable homes.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

#### **14.0 Public sector equalities duty**

As set out in the Equality Act 2010, all public bodies, in discharging their functions must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

#### **15.0 Financial issues**

The requirements to set out the financial benefits arising from a planning application is set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and

- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development which officers consider are likely to be obtained by the authority if the development is carried out including their value if known and should include whether the officer considers these to be material or not material.

#### Material considerations

Affordable housing offsite contribution

Provision of on-site accessible greenspace

Contributions to health care facilities

Additional number of jobs likely to be created in construction

Contribution towards off-site sport pitch provision

#### Non material considerations

The proposal will generate Council Tax in occupation.

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site. This proposal for flatted development is not CIL liable.

With reference to The Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature of the development it has been concluded that an AA is required in relation to potential impact on the Exe Estuary Special Protection Area (SPA). This AA has been carried out and concludes that the development could have an impact in combination with other residential developments primarily associated with recreational activity of future occupants. However, this impact will be mitigated in line with the South-east Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a habitats mitigation contribution secured by a legal agreement tied to the development.

## **16.0 Planning assessment**

The key planning issues are:

1. Principle of development
2. Impact on heritage assets
3. Scale, design, layout and appearance

4. Impact on Trees, ecology and biodiversity
5. Sustainable Construction and Energy Conservation
6. Provision of older peoples housing
7. Travel, Access and Parking
8. Flood Risk and Surface Water Management
9. Pollution
10. Housing supply
11. Affordable Housing
12. Mixed Communities
13. Economic benefits
14. Community Infrastructure Levy (CIL) and New Homes Bonus
15. Planning Obligations

### 1. Principle of development

The site is an undeveloped greenfield site that was agricultural land before becoming the sports field to a school that has since closed. There is no history of amenity access by the public. The site is within the urban area close to a local centre, and a range of local facilities. The site can be described as a greenfield infill site.

The site is in a highly sustainable urban location. In principle, residential development on the site aligns with the spatial strategy of directing development to accessible sites within the urban area in preference to sites on the edge of the city, as set out in the Exeter Core Strategy (Policy CP1) and the saved Exeter Local Plan First Review (Policies AP1 and AP2, reinforced by Policy H1). This approach is consistent with the NPPF, which encourages the effective use of urban land, particularly previously developed land, at appropriate densities.

Whilst previously developed (brownfield) land is prioritised in the spatial hierarchy in the Exeter Local Plan 1st Review Policies this site does, as an urban infill site, otherwise meet the spatial objectives of the policies: AP1, which requires developments to be accessible by public transport, walking or cycling, and AP2 which prioritises brownfield land and land in existing centres. Policy H1 identifies brownfield sites and infill sites within the urban area as primary in the search sequence.

Exeter Local Plan 1st Review Policies L3 protects open space and sets out criteria for development to be considered against. The site is identified as open space in the Exeter Plan 1<sup>st</sup> Review (and in emerging Exeter Plan, policy IF4). Matters of Ecology and Heritage are discussed below. The development has sought to mitigate the impact on the character of the area through retention and strengthening of the substantial tree belt. The development within the site is however considered to result in some harm to the character of the area. The contribution proposed through public access to part of the site and to sports pitch provision off-site are given positive

weight in determining the application. The existing provisions of open space as part of institutions locally and at Mont-le-Grand and retention of the boundary of the site and provision of gardens within the site contribute to a conclusion that there is no significant detriment.

Exeter Local Plan 1st Review Policies L5 protects playing field recreational opportunities. The site has not provided public recreation and there is not considered to be any detriment to local recreational opportunities should it be developed. The contribution proposed through public access to part of the site and to sports pitch provision off-site are given positive weight in determining the application.

## 2. Impact on heritage assets:

The development is proposed at the quantum that the applicant considers to be a viable scheme in terms of the accommodation units, ancillary functions, and ongoing operation. Options for amendment of the design and siting of the building have been explored through the application process and some amendments have been made.

The proposals would result in the development of a previously undeveloped site and the potential for archaeological remains of significance needs to be investigated with in the terms of a Written Scheme of Investigation that can be secured by condition.

The proposed development would introduce a built form into the central open space of the former school playing field.

The building's overall design strategy with principal facades addressing Homefield Road and Goldsmith Street is considered an appropriate contextual response. Cross-sections demonstrate that the three-storey scale, set back from the street frontages, achieves acceptable massing within the established townscape.

The tree bounded open space makes a positive contribution to the Conservation Area, as set out in the Conservation Area appraisal, and also to the setting of adjacent locally listed buildings. The proposed development retains boundary tree screening, with the loss of a small number of trees at the entrance not considered to significantly open up views into the site or erode that green boundary. The contribution of the trees to the Conservation Area is considered to be retained.

The development of the building set centrally within the space and set back from the tree lined boundaries will result in the loss of the openness of the space and this will diminish its positive contribution, it would not preserve or enhance its character and appearance as required and there is some harm. However, given the retention the mature trees and green boundaries, and placement of the entrance and the building, it is not considered that the significance or character of the Conservation Area is

destroyed and that the significance and history of the site will still be legible in the townscape.

Overall, it is considered that the heritage harm that would result is less than substantial harm. Less than substantial harm does not mean that the harm is insignificant or negligible; rather that it requires justification. Great weight must still be given to the conservation of the area when weighed against the public benefits of the scheme.

The proposals as a whole have been considered against the aims of policies C1 and C3 of the Exeter Local Plan 1st Review, policy CP4 of the Exeter Core strategy, and the aims of Section 16 of the NPPF.

### 3. Scale, design, layout and appearance

Development of the centre of the site will result in the loss of the open space as a visual amenity. Whilst it would be preferable if the building's alignment prioritised Homefield Road doing so risks greater conflict with the retained trees or pushing the building as a whole towards Goldsmith Street neither of which is desirable. The entrance forecourt design has been revised to successfully accommodate vehicle turning and enclosing the car parking to better screen this from the street. Pedestrian access to the permissive route is achieved through this hared forecourt.

The building's overall strategy is supported: principal facades address Homefield Road and Goldsmith Street, with end elevations facing Park Place and the northern edge. The articulation of the Homefield Road elevation as linked villas and the Goldsmith Street frontage as a U-shaped form responding to views along Alpha Street are considered appropriate contextual responses. Cross-sections demonstrate that the three-storey scale, set back from street frontages, achieves acceptable massing within the established townscape. The distances between the building and existing residences avoids any unacceptable loss of privacy, over bearing impact or loss of light.

It is clear that both national and local policies expect higher density, and the residential density of the proposal at 72 dwellings per hectare is high. Whilst supported in principle, a conclusion on its acceptability can only be reached following detailed assessment of impacts on local amenity, environment, and transport matters, as required by Saved Local Plan policy H2 and Core Strategy policy CP4.

Some design reservations remain. The ground floor appears overly diminutive in relation to local Georgian and Victorian precedents and the elevation to Park Place parallel alignment and plain character risk unfavourable comparison with the more varied surrounding buildings. However, these design shortcomings are not considered to carry such weight as to be reasons to refuse the application. The

appearance of the proposed white render is common in the Conservation Area, reliance on pastel-coloured render alone for a large institutional building is seen as a weakness. Introducing self-finished materials such as brick or natural stone could enhance quality and identity and as external materials are reserved by planning condition this can further be considered.

This scheme preserves as far as possible the defining boundary tree planting conditions of the site and, with additional planting and long-term landscape management, should ensure their continued contribution to townscape quality. Soft landscape proposals are acceptable, and detailed planting, hard landscape materials, and fixtures are secured through planning conditions.

The proposed flatted form of 36 apartments equates to 72 dwellings per hectare. National and local planning policies consistently promote the efficient use of land, through higher-density residential development. Section 11 of the NPPF encourages reusing previously developed land for homes at suitable densities, while safeguarding the environment and ensuring safe, healthy living conditions. Local policy echoes this approach: Saved Exeter Local Plan 1<sup>st</sup> Review Policy H2 prioritises meeting housing needs on brownfield sites by permitting the highest achievable density without detriment to local amenity, character, or road safety, and Core Strategy CP4 requires density compatible with heritage and environmental protection. The emerging Exeter Plan similarly seeks 'optimal densities' in its Spatial Strategy and the Liveable Exeter Principles.

The national focus on efficient use of land is such that the NPPF (para 130c) recommends the refusal of applications that fail to make efficient use of land. With reference to the issues relating to overlooking and lighting impacts on neighbours, it also promotes flexibility in daylight and sunlight policies to facilitate higher densities, provided living standards remain acceptable.

The proposals are considered to accord with the aims of Exeter Local Plan 1st Review policies DG1, DG4, DG7 and H5, Policy CP4 of the Exeter Core strategy, and the aims of NPPF Sections 11 and 12.

#### 4. Impact on Trees, ecology and biodiversity

Tree Preservation Order (TPO) 692 was confirmed on 28 January 2025. The protects 14 individual trees and 7 groups of trees on the perimeters within the application site. These trees are Lime and Sycamore trees up to 19m tall. Consent was granted in October 2025 for works of management to these trees. A tree survey and tree protection plan is submitted with the application. The proposed development involves the removal of 3 trees for the formation of the access, 2 Sycamore and 1 Lime, which are identified as G2, 3 and 4 in the TPO plan. The landscape proposals include the planting of 29 trees including 7 trees on the eastern boundary that reinforce the tree enclosure of the site. Subject to the submission of additional information the Councils

arboricultural advisor was satisfied with the proposed measures which can be secured by condition attached to any consent.

The draft Ecological Assessment report (Somerset Wildlife Trust Consultancy, December 2025) sets out some additional phase two targeted surveys for protected species notably for common reptiles and bats. Development proposals to retain and reinforce the vegetated boundaries which are likely to be the features of most importance to bats as indicated by the initial survey results. Subject to appropriate planning conditions, the minimal bat activity data does not form a constraint to granting permission. As recommended by the Councils Ecology advisors the following matters are proposed to be secured by conditions: A bat mitigation strategy, to include a lighting regime, based on the results of further bat activity survey. Ecological mitigation for reptiles, badgers, wild birds and great crested newts set out in the draft Ecological Assessment report (Somerset Wildlife Trust Consultancy, December 2025). A Construction Environmental Management Plan, in line with the BS42020, to cover the pre- and construction phases to include all necessary mitigation measures. A Landscape and Ecological Management Plan for all retained habitats, wildlife features and landscaped areas during the operation period.

The baseline habitat assessment identified five on-site habitat types. The on-site baseline scored 7.83 habitat units, and zero hedgerow units. The on-site post-intervention proposals scored 7.40 habitat units, and 0.96 hedgerow units. The biodiversity net gain assessment, using The Statutory Biodiversity Metric calculator, confirmed that the proposed design achieves an on-site net loss of -0.42 habitat units (equivalent to -5.39%), a gain of 0.96 hedgerow units (percentage change cannot be calculated from zero baseline units), with no change in watercourse units.

The proposed development therefore results in an overall reduction in measured biodiversity on site. The development includes enhancement, through landscape planting including tree planting and the introduction of bat and bird boxes but will require off-site measures to be secured to achieve overall 10% Biodiversity Net Gain statutory requirement.

With reference to The Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature/scale of the development it has been concluded that an AA is required in relation to potential impact on the Exe Estuary Special Protection Area (SPA). The AA has been carried out and concludes that the development could have an impact in combination with other residential developments primarily associated with recreational activity of future occupants. However, this impact will be mitigated in line with the South-east Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils, and Exeter City Council (with particular reference to Table 26), which is being funded through a s106 contribution with respect to the development which is not CIL liable.

For the reasons set out above, the proposed development is considered to accord with the aims of Exeter Local Plan policy DG1 and the objectives of Section 15 of the NPPF respecting nature conservation.

#### 5. Sustainable Construction and Energy Conservation

Current Building Regulations requirement exceeds the requirement of adopted Local Plan Policy CP15 in respect of residential development. The Energy Statement submitted with the application sets out the applicant approach to additional fabric first measures to reduce energy demand. Regrettably the heating is proposed to be direct panel electrical heating, water heating is ASHP hot water cylinder. Measures to reduce electricity and water use are also set out. The measures set out in the applicants Energy Statement can be secured to be delivered on site by condition. The proposed development is considered to accord with the aims of Exeter Local Plan 1<sup>st</sup> Review Policy CP15.

A sustainable construction waste strategy will be secured by a condition. This will be required to be built around a waste hierarchy, cascading from waste minimisation to reuse and recycling before allowing removal to landfill in accordance with Devon Waste Plan policy W4.

#### 6. Provision of older peoples housing

The NPPF at paragraph 63 sets out the need to consider the needs of those who require retirement housing, housing with care and care homes. Exeter Local Housing Needs Assessment December 2024 identifies a need for additional housing for older people of all types in the period to 2041 including market housing with support of 342 units.

#### 7. Travel, Access and Parking

The proposed access strategy is considered acceptable with vehicular access from Homefield Road widening the existing access and a gated pedestrian access to Goldsmith Street, both positioned to reduce harm to existing trees in so far as is practical. The site is in a highly sustainable location where journeys to access local services can be made by sustainable modes. 25 car parking spaces, an internal motor scooter store, cycle store and visitor cycle stands are provided on site, with details of cycle parking to be secured by condition. The site is in an area where on street parking is controlled by a residents parking scheme and the scheme can be excluded from eligibility for permits by DCC as Highway Authority.

There is no objection to the proposed development from the highway Authority and adequate provision for safe access including by service vehicles is provided. Hence,

as guided by paragraph 115 of the NPPF 2024, it is not considered that there are grounds for refusal of the application for highways reasons.

The introduction of a permissive pedestrian route along the southern edge is therefore welcomed, improving permeability and social integration and providing an alternative to Park Place. While the route is not step-free and it has not been possible to accommodate a segregated cycling route due to topography and tree protection constraints, this is not a reason for refusal of the application.

The proposals are considered to accord with the aims of Exeter Local Plan 1st Review policy T3, and T10, Core Strategy policy CP9 and the aims set out in section 9 of the NPPF.

#### 8. Flood Risk and Surface Water Management

The site is in Flood Zone 1. The proposals would manage surface water within the site attenuating the run-off rate to green field rates. As such the proposal is considered to accord with the aims of Exeter Local Plan 1st Review Policy EN4, policy CP12 of the Exeter Core Strategy and Paragraph s181 and 182 of the NPPF 2024

#### 9. Pollution

The site has been identified as unlikely to be subject of ground contamination, however a condition is proposed on precautionary basis should contamination be uncovered during construction. Officers are satisfied that the development proposed can safely be permitted subject to this condition. As such the development is considered to comply with the aims of Exeter Local Plan 1st Review Policy EN2 and paragraph 196 of the NPPF 2024.

Fore Street Heavitree is part of the designated Air Quality Management Area. The development is not considered likely to have a materially detrimental impact on air quality in the AQMA and is not considered to be contrary to policy EN3 of the Exeter Local Plan 1st Review and would contribute to the improvement of air quality as sought by Policy CP11 of the Exeter Core Strategy and paragraph 199 of the NPPF 2024

#### 10. Housing supply

The Council is not currently able to demonstrate a 5-year housing land supply (supply on 01 April 2025 was 4 years 3.2 months). This comprises a Deliverable Housing supply of 3,599 units against a requirement of 4,221 with the application site being a windfall rather than allocated site with an allowance for windfalls made in the five year supply calculations.

The development would provide 36 one and two bed dwellings to help meet housing need and this should be afforded substantial positive weight in the planning balance.

As a consequence of the five year supply position, the presumption in favour of sustainable development as set out in Paragraph 11 of the NPPF is to be applied. The tilted balance is therefore to be borne in mind when balancing the planning issues that have been outlined in this report.

### 11. Affordable Housing

In accordance with Core Strategy Policy CP7 provision should be made by the development for Affordable Housing at 35% of units. This equates to 12.6 units. It is accepted that for practical, cost and management reasons no social housing provider would want to take on individual units with this block. It is also accepted that the site constraints means that affordable units can be accommodated in a separate block and that to do so would increase development cost and reduce the overall number of units. In these circumstances it is accepted that an off-site contribution towards the delivery of affordable housing elsewhere in the city is acceptable. There are opportunities for this to be used to support the delivery of additional dwellings in the city for example at Vaughan Road.

The applicant has submitted a viability appraisal to which has demonstrated to the satisfaction of officers that the development cannot afford the full contribution using the methodology for calculating off site contributions set out in the Affordable Housing SPD. A sum of £1,282,000 total contributions has been agreed through review of the applicant's viability appraisal. The commuted sum for Affordable Housing will be this less the costs of other S106 contributions, monitoring and off-site habitats mitigation and BNG. It is estimated as circa £1.07m.

On this basis the application is considered to accord with the aims of Core Strategy Policy CP7 and the Affordable Housing SPD.

### 12. Mixed Communities

There are a number of care homes, sheltered housing schemes and age restricted dwellings in the areas surrounding the site and in Heavitree Centre. However, the provision of 36 units of age restricted housing is not considered to result in an over concentration of this particular housing type in the area of the site and as such the proposed development is considered to accord with the aims of policy H5 of the Exeter Local Plan 1st Review.

### 13. Economic benefits

The development would provide economic benefits in construction phase directly in construction and indirectly in occupation. The development will create jobs in occupation phase through the staffing and ongoing maintenance activities. The development of these additional 36 residential units will support the vitality of the Heavitree local centre.

#### 14. Community Infrastructure Levy (CIL) and New Homes Bonus

The development will not be CIL Liable under the current CIL charging regime as the development is flatted.

New Homes Bonus will also be received on the basis of increased dwelling numbers.

#### 15. Planning Obligations

Exeter Core Strategy policy CP18 states that new development must be supported by appropriate infrastructure in a timely manner. Developer contributions will be sought where necessary to mitigate adverse impacts to ensure the physical, social, economic and green infrastructure is in place to deliver acceptable development.

The matters listed below are considered necessary to make the development acceptable in planning terms, to be directly related to the development, and fairly and reasonably related in scale and kind to the development meeting the tests set out in Regulation 122. The request for funding made by the RDUH is not considered to meet those tests.

The application has been subject to a viability process, and the package of S106 obligations have been secured on the basis of viability at a level of £1,282,000 with the contribution affordable housing being delivered off-site by contribution. The ultimate sum available for Affordable Housing is this, less other contributions, BNG and monitoring fees and hence is presented as an estimated figure.

All financial contributions set out below are to be index-linked.

- £95,000 towards off-site sport pitch provision
- £14,518 NHS Devon ICB towards provision of GP Surgeries
- £46,249.56 Exe Estuary Management Contributions
- Travel Plan measures
- circa £1.07m off-site Affordable Housing contribution

#### 16. Planning Balance and Presumption in Favour of Sustainable Development

Where a proposal would affect designated heritage assets, decision-makers must give great weight to the conservation of those assets and have special regard to the desirability of preserving the character and appearance of the conservation area. In this case, the proposal would result in less than substantial harm to the Heavitree Conservation Area and the setting of nearby heritage assets. In accordance with the NPPF (Section 16), that harm must be weighed against the public benefits of the proposal, including securing the optimum viable use of the site.

Separately, the Council is not currently able to demonstrate a five-year housing land supply. Relevant policies for the supply of housing are therefore out of date and paragraph 11(d) of the NPPF is engaged. Planning permission should be granted unless either (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development, or (ii) any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Weight given on each planning matter:

- The provision of 36 age-restricted dwelling units on a highly sustainable site is given significant weight in decision making.
- Contributions from the development to offset the impact of the development on services and public spaces are given limited positive weight.
- The less than substantial harm to the setting of Locally Listed Buildings and the Character and Appearance of the Heavitree Conservation Area is given significant weight in decision making given the special regard that is required to be had to those assets and that the harm which would be long lasting.
- Contribution of circa £1.07m towards the provision of off-site affordable housing is given substantial weight in decision making.
- The loss of some trees and reduction in on site biodiversity, which will need to be compensated off site, is given significant weight in decision making.
- Landscaping and tree planting to reinforce the tree belt on the eastern side of the site is given moderate weight in decision making,
- Contributions to the provision or enhancement of sports facilities
- Sustainable Transport Contributions
- Contribution to provision of GP services

An assessment of the harm to heritage assets is set out in Section 16 part 2 of this report. This concluded that the impact on above ground Heritage Assets (including designated heritage assets (the Heavitree Conservation Area and Locally Listed Buildings) is considered to be less than substantial harm.

With regards to that less than substantial harm, the public benefits that the scheme provides, are considered to outweigh the harms, though not substantially so given the special regard that need to be had to the desirability of preserving heritage assets and their setting and the great weight that should be given to their protection as set

out in the NPPF. On an unweighted basis a recommendation would be to approve the application, this would be on balance.

The Council is not currently able to demonstrate a 5-year housing land supply (supply calculated on 1<sup>st</sup> April 2025 was 4 years 3.2 months). As a consequence, the presumption in favour of sustainable development as set out in Paragraph 11 of the NPPF is to be applied. For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

Footnote 8 to this paragraph indicates that policies will be out of date where a council cannot demonstrate a 5-year housing land supply. Given the content of the paragraph there is a presumption in favour of sustainable development. The content of footnote 7 however makes it clear that policies for the protection of important assets of particular importance are still a significant consideration and these can provide a clear justification to refuse permission if granting permission would “significantly and demonstrably outweigh the benefits”. It is thus necessary to weigh up the balance of planning issues and relevant policies in accordance with the requirements of Para. 11 of the NPPF. The fact that a policy is considered out of date does not mean it can be disregarded; instead, it means that less weight can be applied to it with the level of weight given to be a matter of planning judgement.

The Supreme Court judgement confirmed that for the purposes of applying a tilt in favour of sustainable development, known as the ‘tilted balance’ (NPPF Para. 11(d)), policies of the development plan will remain applicable, but it will be for the local planning authority to determine the balance of policies for the protection of environment and amenity against the need for housing and the economy.

The tilted balance is therefore to be borne in mind when balancing the planning issues that have been outlined in this report.

The key benefits and harms of development were set out above. Applying the titled balance would mean giving greater weight to policies and benefits of the scheme

relating to the economy and housing supply and as such would further tilt the balance in favour of consent.

## **17.0 Conclusion**

Historic England has objected to the proposal on the basis that it would result in the loss of the site's open character as a positive element of the Heavitree Conservation Area and would not preserve or enhance its character and appearance. Having had special regard to the desirability of preserving the Conservation Area and great weight to its conservation, and for the reasons set out in the assessment in this report (including the Planning Balance in Section 16), it is concluded that the proposal would result in less than substantial harm to the Conservation Area and the setting of nearby heritage assets. In this case, that harm is considered to be outweighed by the public benefits of the scheme, in particular the delivery of 36 age-restricted dwellings in a highly sustainable location to help meet identified housing need, together with the mitigation and planning obligations secured through conditions and the section 106 agreement. In light of the Council's current housing land supply position, paragraph 11(d) of the NPPF (December 2024) further reinforces the balance in favour of approval. The application is therefore recommended for approval, subject to completion of the section 106 agreement and the conditions set out below.

## **18.0 Recommendation**

The recommendation is in two parts. APPROVE subject to conditions and to a S106 Legal Agreement being completed and REFUSE if the agreement is not completed in a timely manner.

### RECOMMENDATION PART ONE

a) DELEGATE TO THE SERVICE LEAD (CITY DEVELOPMENT) TO GRANT PERMISSION SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO SECURE THE FOLLOWING:

- Sport pitches contribution of £95,000 prior to occupation
- NHS Devon GP Surgeries contribution of £14,518 on commencement
- Habitats Mitigation of £1284.71 per unit (£46,249.56 total) on commencement
- Off-site affordable housing contribution circa £1.07m prior to occupation.
- Management of the permissive route through the site.
- Travel Plan measures

All S106 contributions should be index linked from the date of resolution.

And the following conditions (and their reasons) the wording of which may be varied.

## Standard Conditions

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

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

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 1 August 2025 and 28 October listed below, as modified by other conditions of this consent.

1 August 2025

SO-3044-03-AC-0410\_Sections  
SO-3044-03-AC-0200\_Ground Floor Plan  
SO-3044-03-AC-0201\_First Floor Plan  
SO-3044-03-AC-0202\_Second Floor Plan  
SO-3044-03-AC-0203\_Roof Plan  
SO-3044-03-AC-0300\_Elevations  
SO-3044-03-AC-0301\_Elevations  
SO-3044-03-AC-0310\_Site Elevations Planning  
3044-03-AC-0311\_Site Elevations Planning  
SO-3044-03-C-0520\_P2 Exceedance Routing  
SO-3044-03-L-941-B-Typical Landscape Details - Sheet 1  
SO-3044-03-L-940-B-Soft Landscape Details - Tree pit and Soil Profiles

28 October 2025

SO-3044-03-C-0500\_P10 Drainage Layout  
SO-3044-03-L-902-C-Tree Retention and Removal Plan  
SO-3044-03-L-930-C-Site Sections  
SO-3044-03-L-990-B-Landscape Plan Permissive Path Route

10 April 2026

SO-3044-03-AC-0100\_P08 Site Layout Plan  
SO-3044-03-L-901-P-Landscape GA Plan  
SO-3044-03-L-903-F-Kerb and Edging Plan  
SO-3044-03-L-905-F-Boundary Treatment Plan  
SO-3044-03-L-907-F-Landscape Site Assessment Areas.  
SO-3044-03-L-908-F-Urban Greening Factor  
SO-3044-03-L-910-F-Planting Strategy Plan

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

## Pre-commencement conditions

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

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that building operations are carried out in a sustainable manner.

4) Prior to the commencement of the development hereby permitted (including ground works and site clearance works) a Construction Environmental Management Plan (CEMP) shall have been submitted to and approved in writing by the Local Planning Authority. The Statement shall describe the actions that will be taken to protect the amenity of the locality, especially for people living and/or working nearby and surrounding highways. It shall include as a minimum provision for:

- (a) The programme of the works;
- (b) Identification of any road closures proposed;
- (c) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays unless agreed by the planning Authority in advance;
- (d) The compound location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be loading, unloading and stored during the demolition and construction phases, the site access point(s) of all vehicles
- (e) Areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (f) The means of enclosure of the site and maintenance of this during construction works
- (g) Details of proposals to promote sustainable and active travel, public transport and car sharing by construction staff in order to limit construction staff vehicles parking off-site
- (h) Details of wheel washing facilities and obligations
- (i) Routing of all construction traffic exceeding 7.5 tonnes.
- (j) Details of the amount and location of construction worker parking.
- (k) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;
- l) A noise and vibration management plan, including details of quantitative monitoring of noise and/or vibration to be conducted if deemed necessary by the LPA following justified complaints.
- m) A detailed proactive and reactive dust management plan, including details of quantitative monitoring of dust emissions.
- n) Requirements for plant and equipment based at the site to use white noise reversing alarms or a banksman unless agreed otherwise in writing in the CEMP.
- o) No driven piling without prior consent from the LPA.
- p) No burning on site during construction or site preparation works.
- q) All non-road mobile machinery (NRMM) based at the site shall be of at least stage IIIB emission standard (or higher if stage IIB has not been defined for the type of machinery) unless agreed otherwise in writing in the CEMP.
- r) Details of how power will be provided to the compound (use of a generator overnight will not normally be considered acceptable).
- s) Arrangements for communication and liaison with local residents, including regular letter drops and a dedicated contact number for complaints.

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

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

5) Prior to the commencement of the development (excluding site clearance work) hereby permitted the following information shall have been submitted to and approved in writing by the Local Planning Authority:

- (a) A detailed drainage design based upon the approved Proposed Drainage Strategy Report (Document No. 24377-PDSR-01-v5, Rev. V6, dated 26th January 2026)
- (b) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
- (c) Proposals for the adoption and maintenance of the permanent surface water drainage system.
- (d) A plan indicating how exceedance flows will be safely managed at the site.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (d) above.

Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG.

6) Pre-commencement condition: No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

Reason for pre-commencement condition - To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

7) On-Site Habitat Management and Monitoring Plan.

In the event that on-site habitat is specified in the Biodiversity Gain Plan then, prior to commencement of development, a Habitat Management and Monitoring Plan (the HMMP) for the on-site habitat has been submitted to, and approved in writing by, the local planning authority. That HMMP shall have been prepared in accordance with a Biodiversity Gain Plan required by the statutory Biodiversity Gain condition and shall include:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisations delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat

Any on-site habitat specified in the approved HMMP shall thereafter be delivered and completed in accordance with the details approved by the Biodiversity Gain Plan prior to the first occupation of the development hereby approved, or in accordance with an alternative timetable where this has been agreed in writing by the Local Planning Authority prior to commencement.

The on-site habitat shall thereafter be managed and maintained in accordance with the approved HMMP for a period of 30 years from the substantial completion of the development.

Monitoring reports shall thereafter be submitted to the local planning authority in writing for the 30 year period in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure that the on-site habitat is secured such that the development delivers the required 10% biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

8) Prior to the commencement of the development (including any demolition, ground works, site clearance) hereby permitted a Construction Ecological Management Plan (CEcMP), in line with the BS42020, shall have been submitted to and approved in writing by the local planning authority. The CEcMP shall include appropriate measures, methods, and communication lines to manage potentially damaging construction activities on ecological features including bats, birds, newts and any other significant features identified prior to, or during, construction. Once approved, the plan shall be implemented for the duration of the construction period.

Reason: In the interests of protecting and enhancing the natural environment.

9) Prior to commencement of development (including any vegetation clearance and preparatory works) a Bat Mitigation Strategy, based on the recommendation set out in Section 4 of the Somerset Wildlife Trust Consultancy - Ecological Assessment December 2025 (including additional survey work), shall have been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be carried out in accordance with the approved Bat Mitigation Strategy.

Reason: In the interests of nature conservation.

10) Prior to the commencement of the development hereby permitted (including ground works and site clearance works) the implementation of a programme of archaeological works

shall have been secured in accordance with a written scheme of investigation (WSI), which has previously been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme.

Reason: To ensure that an appropriate record is made of archaeological evidence that may be affected by the development, in accordance with saved Policy C5 of the Local Plan First Review and paragraph 218 of the National Planning Policy Framework (2024). These details are required pre-commencement as specified to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.

11) Prior to the commencement of the development (excluding site clearance) hereby permitted an Acoustic Insulation Implementation and Verification Plan shall be submitted and approved in writing by the Local Planning Authority. This plan shall include details of the insulation and glazing to be installed and describe how the installation shall be tested so as to demonstrate the achievement of suitable internal noise levels. This shall include achieving both sustainable acoustic comfort and sustainable thermal comfort in accordance with Approved Document O. Prior to the occupation of the building hereby approved an Acoustic Installation Verification Report shall be submitted. This report shall document the successful completion of the acoustic insulation work and post-installation testing.

Reason: In the interests of the amenity of future residents

#### Pre-construction and pre-occupation conditions

12) Prior to the first occupation of any part of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP), shall have been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be prepared in accordance with the specifications in clause 11.1 of BS 42020:2013 (or any superseding British Standard), shall incorporate the measures set out in the Ecological Assessment (Draft) December 2025, and shall include the following:

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

For the avoidance of doubt this shall include 24 integral Swift Nest Boxes in accordance with the detailed recommendations of the Ecological Impact Assessment and confirm the type of swift bricks to be installed, locations, into which boxes are to be installed, and evidence in the form of photographs of correct installation.

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

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

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

13) No work beyond base course level shall commence on the development until the developer has submitted and had approved by the Local Planning Authority, in conjunction with the Highway Authority, details of a 2.0-metre-wide footway through the development connecting Homefield Road and Goldsmith Street. No part of the development hereby permitted shall be occupied until the approved footway has been connected.

Reason: In the interests of highway safety and sustainable travel.

14) Each of the dwellings hereby approved shall only be occupied by persons of 60 years old, and in addition the occupants' partners over 55 years old.

Reason: The scheme is designed for a specific age group and is not suitable and has not been considered on the basis of unrestricted occupation.

15) The development hereby approved shall not be brought into its intended use until the mobility vehicle parking has been provided in accordance with details on the approved plans. Thereafter the said parking facilities shall be retained for that purpose at all times.

Reason: To ensure that mobility vehicle parking is provided, in accordance with Exeter Local Plan Policy T3.

16) No part of the residential use hereby approved shall be occupied until bin storage and collection facilities have been provided in accordance with details set out in the approved plans and Design and Access statement, or in accordance with such details as may be subsequently agreed in writing by the LPA. Thereafter the said bin facilities shall be retained for that purpose at all times.

Reason: To ensure that bin storage is provided in the interests of amenity and human health.

17) The development hereby permitted shall not be occupied until a post investigation assessment has been submitted to and approved in writing by the Local Planning Authority, in accordance with the archaeological written scheme of investigation (WSI). The post investigation assessment shall provide details of the analysis, publication and dissemination of results, including archive deposition where applicable.

Reason: To accord with paragraph 218 of the National Planning Policy Framework (2024), which requires developers to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.

18) Details of the gates to be installed at both ends of the pathway linking Homefield Road to Goldsmith Street shall be submitted to and approved in writing by the Local Planning

Authority and shall have been installed in accordance with those approved details prior to occupation of any part of the development hereby approved.

Reason: To restrict unauthorised access and to prevent the opportunity for casual intrusion, crime and anti-social behaviour.

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

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

20) The building shall not be occupied until secure cycle parking for the staff and residents, and outdoor Sheffield cycle stands for visitors, shown on the ground floor general arrangement plan, have been provided in accordance with details that have been submitted to and approved in writing by the LPA. The secure cycle parking shall thereafter be retained and used solely for the purposes of cycle parking. Where Sheffield Stands are used, these should be positioned and spaced in accordance with the guidance set out within Devon County Council's Cycle Parking Design Guidance.

A cycle maintenance stand, pump, and basic cycle maintenance tools shall be provided for use by residents and shall be maintained as such thereafter.

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

### Other conditions

21) Public access to the path linking Homefield Road with Goldsmith Street and seating area shall be provided prior to the first occupation of the development hereby permitted and shall be maintained thereafter. The path shall be managed and maintained and made available for public use in accordance with a Management Plan that has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory access through the site in accordance with saved policies T1 and T3 of the Exeter Local Plan First Review, policy CP9 of the adopted Core Strategy, the Sustainable Transport SPD and paragraphs 115 and 117 of the NPPF.

22) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences, in broad accordance with the Landscape GA Plan, Boundary Treatment Plan, Planting Strategy Plan and Landscape Plan Permissive Path Route shall be submitted to the Local Planning Authority and the building shall not be occupied until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the

scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with an agreed programme.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

23) A schedule of all the materials it is intended to use externally in the construction of the development (including facing, roofing, rainwater goods, glazing systems, doors, hard surfaces and means of enclosure), and where requested by the Local Planning Authority, samples of those materials, shall be submitted to the LPA. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples/details in all respects.

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

24) Details of external lighting shall be submitted to and approved in writing by the Local Planning Authority and only installed and operated in accordance with the approved details. External lighting mitigation and best practice is to be as set out in Section 6.2 and Section 6.3 of the Lighting Assessment & Strategy Report, Project Ref: 332612882.

The details shall include location, type, specification of lighting, and an assessment of the lighting against BS5489-1:2020 and shall demonstrate how the lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation if necessary). The lighting shall be installed in accordance with the approved details prior to the occupation of the relevant phase of the development, including lighting to the proposed site access and permissive path.

Post Completion Monitoring is to be carried out as set out in Section 8.2 of the Lighting Assessment & Strategy Report, Project Ref: 332612882.

Reason: To ensure lighting is provided in the interests of public and resident safety, whilst ensuring that it is well designed to protect the amenities of the area and wildlife and in accordance with saved policy LS4 of the Exeter Local Plan First Review, the Residential Design Guide SPD.

25) Prior to the installation of any new plant on the site, details of the plant shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, design (including any compound) and noise specification. The plant shall not exceed 5dB below the existing background noise level at the nearest receptor. If the plant exceeds this level, mitigation measures shall be provided to achieve this in accordance with details to be submitted to and approved in writing by the Local Planning Authority. (All measurements shall be made in accordance with BS 4142:2014).

Reason: In the interests of the amenity of the area, especially future residents and nearby residential uses.

26) The development hereby approved shall only be carried out in accordance with the building fabric, energy and water saving measures set out in the Energy Statement received 1 August 2025 or such other equivalent measures that shall subsequently have been agreed

in writing by the Local Planning Authority. Prior to occupation of the development the applicant shall submit evidence to show these measures have been implemented.

Reason: In the interests of sustainable development.

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

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

28) The site shall be remediated in accordance with the approved measures outlined in Section 12: Conclusions & Recommendations of GROUND CONDITION ASSESSMENT BRAMDEAN SCHOOL PLAYING FIELD EXETER MCCARTHY STONE February 2025 Project No. 5027243 and a verification report shall be submitted to and approved by the Local Planning Authority before any part of the development is occupied.

If, during the course of development, contamination posing unacceptable risks is found, which has not been identified in the site investigation, additional measures for the remediation of this shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report shall be submitted to and approved by the Local Planning Authority before any part of the development is occupied.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

29) The areas allocated for vehicle parking, loading and unloading, and turning on the submitted plan, Drawing Number SO-3044-03-AC-0100 Revision E, shall be kept clear of obstruction and shall only be used for the said purpose and not for any other purposes.

Reason: In the interests of highway safety.

30) At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the submitted plan, Drawing number: PD02 Revision E. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: To provide adequate visibility from and of emerging vehicles.

31) In accordance with details that shall previously have been submitted to, and approved by, the Local Planning Authority provision shall be made within the site for the disposal of surface water so that none drains on to any County Highway

Reason: In the interest of public safety and to prevent damage to the highway

## Informatives

1) In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Area (SPA), the Exe Estuary, which is a designated European site. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with recreational activity of future occupants of the development. This impact will be mitigated in line with the South East Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the Community Infrastructure Levy (CIL) collected in respect of the development being allocated to fund the mitigation strategy. Or, if the development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism (this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).

### 2) Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Exeter City Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Read more about Biodiversity Net Gain at Biodiversity Net Gain - Environment ([devon.gov.uk](http://devon.gov.uk))

3) In accordance with Paragraph 39 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

4) You are advised to make all future residents of both parts of the development hereby approved that they will not be eligible for residents parking permits which would allow them to park on public streets surrounding the development

5) The applicant's attention is drawn to the potential for Unexploded Ordnance to be present on the site and the need for UXO risk assessments to be undertaken and the recommendations of those assessments to be adopted in working practices on site.

6) Attention is directed to the recommendations of the Police Designing Out Crime Officer with regards rainwater goods design, CCTV, controlled access, bollards, lighting and wayfinding signage.

RECOMMENDATION PART TWO

- b) REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IS NOT COMPLETED BY (6 months from the date of committee) OR SUCH EXTENDED TIME AS AGREED IN WRITING BY THE SERVICE LEAD (CITY DEVELOPMENT)