

## PLANNING COMMITTEE

22 July 2013

### Present:

Councillor Bialyk (Chair)  
Councillors Spackman, Denham, Mrs Henson, Newby, Owen, Prowse, Sutton, Tippins and Winterbottom

### Apologies:

Councillors Choules, Edwards and Mitchell

### Also Present:

Chief Executive & Growth Director, Assistant Director City Development, Area Planner (MH) and Democratic Services Officer (Committees) (SLS)

66

### MINUTES

The minutes of the meetings held on 15 April, 20 May, 24 June and 8 July 2013 were taken as read and signed by the Chair as correct.

67

### DECLARATIONS OF INTEREST

No declarations of discloseable pecuniary interests were made.

68

### PLANNING APPLICATION NO. 13/3353/16 - LAND TO WEST OF 48-68 NEWPORT ROAD, EXETER

The Area Planner (MH) presented the application for the erection of new residential buildings containing six, two storey, three bed family terraced houses with associated access and parking. The site benefited from planning consent for 10 self contained flats, which was granted in 2010. The consent for development of the site was a material consideration in respect of the current application.

A number of representations had been received and the Area Planner addressed the following points:-

- the issue of flooding had been addressed through extensive consultation with the Environment Agency and a site specific Flood Risk Assessment. The only area identified at risk of fluvial flooding related to a small area of land on the lower part of the site closest to the river
- the finished floor levels would be raised to a minimum of 300mm above the ground level to mitigate the minimum risk from pluvial related, overland flooding from higher ground
- the boundary treatment with embankments and fencing would further help to direct the course of any flood water
- the perception of a greater loss of open space was unfounded

Members were circulated with an update sheet, which was attached to the minutes. The recommendation was for approval, subject to the conditions as set out in the report, and the additional conditions that the finished floor levels would be 300mm above the surrounding ground level, and that the development should proceed in accordance with the submitted Flood Risk Assessment.

Councillor Robson, having given notice under Standing Order 44, spoke on this item. She made the following comments:-

- that having received photographic evidence of past flooding events, she remained concerned about the potential distress and disruption for any future occupants. Although she acknowledged that she had not experienced this severity of flooding, she had seen a number of recent occasions when the ground had been saturated
- potentially, this scheme would be housing more vulnerable individuals
- future occupants should be able to obtain adequate insurance for their property

Emma Osmundsen, the City Council's Housing Development Manager spoke in support of the application. She addressed a number of points which had been raised during the recent period of consultation:-

- the change of this scheme to family accommodation reflected the most pressing housing need in the city
- providing more family sized accommodation would help to address a number of healthier living benefits such as fuel poverty
- the scheme was the subject of detailed modelling by the Environment Agency and only a small portion of the site was identified as facing a low risk of flooding, identified as 0.1% in any given year

In answer to Members' questions Ms Osmundsen clarified the following points –

- the loss of green space remained at 6% of the overall available space
- building family sized houses was more cost effective than the previous scheme for 10 flats
- estimated building costs were in the region of £1100 to £1200 per sq metre
- individual insurance arrangements, covering house contents was not a planning matter, however, buildings insurance for this scheme would be provided as part of the City Council's property portfolio
- a slight change in the landscaping scheme would encourage the dispersal of any excess surface water

During discussion, Members raised the following points:-

- the scheme was very welcome and would provide much needed family accommodation
- flooding could affect any part of the city
- if the architects had particular knowledge of the site. *The Area Planner clarified that all those involved with the project had detailed knowledge of the site and the subsequent modelling was appropriate*

**RESOLVED** that the application for the erection of new residential buildings containing six, three bed, four person terraced houses and considered access and parking be **approved** subject to the following conditions:-

- 1) C05 - Time Limit – Commencement.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 21st May 2013 (dwg. nos. AL(0) 100 Rev P2, AL(0) 101 Rev P3, AL(0) 102 Rev P2 and AL(0) 103 Rev P2, as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.

- 3) C17 - Submission of Materials.
- 4) C35 - Landscape Scheme.
- 5) C37 - Replacement Planting.
- 6) C36 - No Trees to be Felled.
- 7) C38 - Trees - Temporary Fencing.
- 8) The proposed estate road, cycleway/footpath, footways, verges, junction, street lighting, sewers, drains, retaining walls, service routes, road maintenance/vehicle overhang margins, embankments, access, on-site car/cycle parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.  
**Reason:** To ensure that adequate information is available for the proper consideration of the detailed proposals.
- 9) No part of the development hereby approved shall be occupied until the on-site car and cycle parking facilities together with any means of access shall have been provided in accordance with the requirements of this permission and retained for those purposes at all times.  
**Reason:** To ensure that adequate access and parking facilities are available for the traffic attracted to the site.
- 10) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.  
**Reason:** In the interests of local amenity.
- 11) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an [amended] investigation and risk assessment and, where necessary, a[n amended] remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.  
  
Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.  
**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.
- 11) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an [amended] investigation and risk assessment and, where necessary, a[n amended] remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

**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.

- 12) Unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of the development a time frame for the installation of photo voltaic panels in line with the details set out in section 2.8.2 of the submitted Design and Access Statement dated March 2013 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed strictly in accordance with the approved details, and upon installation, the photo voltaic panels shall thereafter be maintained so that they provide the required level of generation.  
**Reason:** In the interests of sustainable development.
- 13) No development shall take place until a Wildlife Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.  
**Reason:** In the interests of protecting and improving existing, and creating new wildlife habitats in the area.
- 14) No development shall take place until the specification, design and appearance of the cycle storage provision to serve each dwelling is approved in writing by the Local Planning Authority. The development shall take place only in accordance with the approved details.  
**Reason:** In the interests of visual amenity and ensuring that appropriate and useable cycle storage is provided.
- 15) Prior to the first occupation of any of the dwellings hereby approved the Assistant Director of City Development shall be notified in writing of the intended date of such occupation.  
**Reason:** To ensure that adequate notice of occupation, and hence the trigger for the collection of the contributions relating to mitigation of impact on Natura 2000 sites and education provision arising from this development, as set out in the email dated 12 July 2013 from the Assistant Director Housing and Contracts, are clear and the required contributions are secured.
- 16) Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall be implemented strictly in accordance with the submitted Flood Risk Assessment and Surface Water Drainage Statement prepared by Clarkebond (UK) Ltd and dated April 2013 (Report No WE03102/FRA&SWDS).  
**Reason** - To ensure that the development is implemented so as to minimise potential Flood Risk to the properties hereby approved.

(Report circulated)

69

**LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

The report of the Assistant Director City Development was submitted.

**RESOLVED** that the report be noted.

(Report circulated)

70

**APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

(Report circulated)

71

**AREA WORKING PARTY MEMBERSHIP CHANGE**

It was agreed that following the replacement of Councillor Donovan by Councillor Newby on Planning Committee, the following alterations to the membership of the Western and Northern Area Working Parties be made - Councillor Owen to replace Councillor Donovan on Northern Area Working Party and Councillor Newby to replace Councillor Owen on Western Area Working Party, with immediate effect.

72

**SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday, 20 August 2013 at 9.30 a.m. The following Members will attend, Councillors Choules, Edwards and Winterbottom.

73

**ADDITIONAL INFORMATION SHEET**

An Additional Information Sheet was attached.

(The meeting commenced at 5.30 pm and closed at 6.10 pm)

Chair