

PLANNING COMMITTEE

Monday 17 March 2014

Present:

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

Apologies:

Councillors Choules, Edwards, Mitchell, Newby and Prowse

Also Present:

Assistant Director City Development, Area Planner (MH), Planning Solicitor, Highway Development Management Officer and Democratic Services Officer (Committees) (HB)

34

MINUTES

The minutes of the Ordinary Meeting held on 13 January 2014 and the Special Meeting held on 20 January 2014 were taken as read and signed by the Chair as correct.

35

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

36

PLANNING APPLICATION NO. 13/3822/03 - EXETER GOLF AND COUNTRY CLUB, TOPSHAM, EXETER

The Assistant Director City Development reported that on 24 February 2014, this Committee had resolved to defer consideration of the application for the erection of specialist golf course netting (20 and 30 metres high) to enable further discussions between the applicant and adjacent landowners on a more appropriate solution, with verbal updates to be given to future meetings of this Committee.

He advised that he had emailed the Golf Club and Persimmon on the following day seeking formal agreement to participate in a mediation process, agreement on the required mediation skills and views on a timetable. He had also researched accredited Royal Institute of Chartered Surveyors mediators who were south west based but not so local as to have more likelihood of a conflict of interest and he had passed three names to the Golf Club and Persimmon. Persimmon had responded, agreeing to a mediation process but had not commented on other matters. The agents for the Golf Club had commented that Will Gannon, the Chairman of the Golf Club, would represent the Club but was on holiday for a month from 8 March 2014. Dates for his availability would be advised on his return.

37

PLANNING APPLICATION NO. 13/5108/03 AND 13/5109/07 - THOMAS HALL, COWLEY BRIDGE ROAD, EXETER, EX4 5AD

The Area Planner presented the application for planning permission and listed building consent for construction of a new school (education use D1) and sports hall with associated car parking and landscaping, change of use and refurbishment of Thomas Hall for education and administrative purposes, construction of early years

accommodation, demolition of curtilage listed buildings, new pedestrian crossing on Cowley Bridge Road and associated pedestrian access from Cowley Bridge Road to Thomas Hall and alterations to existing lay-by on Cowley Bridge Road.

Members were circulated with an update sheet - attached to minutes.

Councillor Mottram, having given notice under Standing Order No. 44, spoke on the item.

- measures need to be taken to ensure that the volume of vehicular traffic accessing the site via West Garth Road does not increase; and
- the school should seek to involve itself in the local community as much as possible including opening up its facilities to local residents which, if possible, should be free of charge.

The Highway Development Management Officer advised that as West Garth Road was a public highway restrictions could not be placed on traffic although markings for "school keep clear" could be provided on the road itself. He suggested that the school should be approached to monitor the use of this access.

Mr Colclough spoke in support of the application. He raised the following points:-

- the Steiner School had operated successfully at its temporary location at the former Foxhayes Primary School site, Exwick since temporary permission had been granted in the summer of 2013, permission having been granted in the knowledge that the Thomas Hall site had been identified as a permanent location for the school;
- Thomas Hall had been recommended by planning officers and the proposed design was of a high standard which would preserve this Grade II Listed Building;
- the Department for Education is providing capital funding and requires schools supported in this way to fully engage with the local authority;
- the school will serve the whole of Exeter and surrounding district and will provide additional school spaces in the City as well as widening educational choice;
- the development aligns with existing planning policies, the National Planning Policy Framework requiring the support of the local planning authority;
- this will be a viable use of Thomas Hall and would bring wider economic benefits to the City;
- the reservations of residents regarding transport issues have been resolved in consultation with Highways officers at Devon County Council and a sustainable transport plan has been prepared; and
- car parking spaces on site achieve a balance between providing room for staff at the top of the site and for parents dropping off and picking up children from the car park at the bottom of the site. In addition, the impact on the listed building would be minimal.

He responded as follows to Members queries:-

- the Steiner Academy is keen to develop sustainable transport solutions for pupils, teachers and visitors to the school. Pupils will be encouraged to walk and cycle to school and there will be an appropriate route available to St. David's Station. Parents will be able to drop children off either at the layby on Cowley Bridge Road, near the entrance to the site, or at the car park at the bottom of the site. Access to the car park during drop off and pick up times for pupils and access during the rest of the day will only be possible

through a swipe card and a CCTV coverage system. Other visitors to the school will be met at the control point;

- 125 square metres of photo voltaic panels are to be provided and the school will be insulated to the highest standards and a fuel efficient heating system used;
- the school intends to engage with the local community and the hall and sunken/walled garden will be made available in due course. Regard will be had however to security issues.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 to secure (if necessary) the direct provision of off-site highway improvements in Cowley Bridge Road including a new pedestrian crossing and to secure financial contributions towards new traffic orders and improvements to the raised pedestrian walkway on Cowley Bridge Road in the light of the increased level of usage directly resulting from the establishment of a school on the application site, planning permission for the construction of a new school (education use D1) and sports hall with associated car parking and landscaping, change of use and refurbishment of Thomas Hall for education and administrative purposes, construction of early years accommodation with the existing landscape, demolition of curtilage listed buildings, new pedestrian crossing on Cowley Bridge Road and associated pedestrian access from Cowley Bridge Road to Thomas Hall and alterations to existing lay-by on Cowley Bridge Road be **APPROVED**, subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) Within three months of the commencement of the development (the date of which shall be confirmed in writing) a detailed scheme for landscaping of the site, including the planting of trees and/or shrubs, and the use of surface materials shall be submitted to the Local Planning Authority. Such scheme shall be based upon the concept planting plan drawing no. P-SAE-007 Rev 5 and 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 and agreed programme.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 5) Other than those agreed on the plans hereby approved no trees or hedges on or around the site shall be felled, lopped or removed without the prior written consent of 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.
- 6) C38 - Trees - Temporary Fencing
- 7) Construction work shall not take place outside the following times: 8am to 6pm (Monday to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of the amenity of occupants of nearby buildings.

- 8) A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction phase, including site traffic (management of arrivals and departures of vehicles) and emissions of noise and dust. This should also include details of the access arrangements, phasing and timing of work to minimise noisy activities on Saturdays and measures that will minimise the impact of construction traffic on the local road network, including parking provision during the construction process. The CEMP should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during this phase of the development, in order to discuss forthcoming work and its environmental impact.
Reason: In the interests of highway safety and local amenity.
- 9) Details of all building services plant, including sound power levels and predicted sound pressure levels at a specified location outside the building envelope, are also required to be submitted to and approved in writing by the LPA. The predicted noise levels shall be submitted prior to commencement of the development and shall be demonstrated by measurement prior to occupation of the development.
Reason: In the interests of local amenity.
- 10) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.
Reason: In the interests of the amenity of the occupants of the buildings hereby approved.
- 11) No part of the development hereby approved shall be brought into its intended use until the access drive/entrance, visibility splays, passing bays, car parking and turning/servicing areas and servicing areas have been provided in accordance with details that shall previously have been submitted to, agreed and approved in writing by, the Local Planning Authority in liaison with the Local Highway Authority. Thereafter the said facilities shall be retained and maintained for their intended purpose at all times.
Reason: To provide a safe and suitable access, in accordance with paragraph 32 of the NPPF, and ensure that adequate facilities are available for the traffic attracted to the site.
- 12) Prior to the commencement of works relating to the provision of the parking facilities in the south-east corner of the site a detailed construction method statement and detailed design specifications for these works shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the construction of this element of the scheme shall proceed strictly in accordance with the details approved pursuant to this condition.
Reason: To ensure that the construction of this parking area is carried out with minimal impact on the surrounding vegetation and in a design that is

appropriate to the character and appearance of the setting of this Grade II Listed Building.

- 13) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the said facilities shall be retained for that purpose at all times
Reason: To maximise the potential for the use of sustainable modes of transport by providing adequate facilities for the storage of cycles.
- 14) The development hereby approved shall be implemented in accordance with the submitted Flood Risk Assessment dated December 2013.
Reason: To ensure that the development proceeds in accordance with an appropriate drainage strategy to minimise any potential flood risk arising from the development.
- 15) C57 - Archaeological Recording
- 16) Notwithstanding the submitted Travel Plan a revised Travel Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development and a review of travel patterns for the site shall be undertaken within six months of occupation of the development and on an annual basis thereafter, unless otherwise agreed with the Local Planning Authority.
Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 36 of the NPPF.
- 17) Unless otherwise agreed in writing by the Local Planning Authority all of the interior works within Thomas Hall shall proceed strictly in accordance with individual room specification schedules that shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the works being carried out. The room specification schedules shall specify the interior finishes proposed.
Reason: In the interests of the preservation of the character and appearance of this Grade II Listed Building.
- 18) Prior to the erection of any buildings/structures within walled garden detailed plans of the siting, size and external appearance of the proposed buildings shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the development shall be completed in strict accordance with the approved details.
Reason: In the interests of the character and appearance of this Grade II Listed Building and its setting.
- 19) Any external lighting of the buildings and grounds shall only be implemented in accordance with details that shall previously have been submitted to and approved in writing by, the Local Planning Authority.
Reason: In the interests of the character and appearance of this Grade II Listed Building and its setting and to ensure that potential light pollution is minimised.
- 20) The development hereby approved shall be implemented strictly in accordance with the recommendations and mitigation strategies set out in the submitted Extended Phase 1 Habitat Survey and Protected Species Survey dated December 2013 (Report No: 13/2293rev02) and October 2013

(Report No: 13/22293b) respectively. If, as a result of any further surveys undertaken as identified in the above documents, the presence of any protected species are identified works should only be proceed in accordance with further details and specifications that shall be submitted to and approved in writing by the Local Planning Authority prior to works being carried out.

Reason: To ensure that the development proceeds without detrimental impact on any protected species present on the site and without undue harm to existing wildlife habitats on the site.

- 21) 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 in writing by the Local Planning Authority. The Wildlife Plan shall include details of the provision of additional wildlife habitats, including but not limited to integral bird/bat boxes, as well as on-going landscape management measures aimed at enhancing the overall wildlife/ecological value of the site. 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 to ensure that the wildlife opportunities associated with the site are maximised in the interests of biodiversity.

- 22) Notwithstanding Condition 2 and unless otherwise agreed in writing, no work shall commence on any individual building under this permission until details of the following for that building have been submitted to and approved in writing by the Local Planning Authority:-

Full elevational and sectional details of the following elements of the development to a scale of 1:20 and 1:5 :-

i) windows, cills, headers and reveals, including materials and fixing methods;

ii) all details of parapets, eaves, verges, rainwater goods, louvres, canopies and external doors.

Reason: To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development, and in the interests of the character and setting of this Grade II listed building.

- 23) Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall proceed strictly in accordance with details and recommendations as set out in the submitted Tree Survey and Assessment dated December 2013.

Reason: To ensure that the development is implemented with minimal impact upon the trees within the application site in the interests of the visual amenities of the area and the setting of this Grade II Listed Building.

- 24) Prior to the school hereby approved being brought into use the school opening hours for each of the different year groups on Mondays to Fridays shall be staggered to spread the distribution of trips in a pattern to be agreed in writing by the local planning Authority.

Reason: To prevent a severe impact on the public highway arising as a result of the proposed development.

- 25) No part of the development hereby approved shall be commenced until details of the access arrangements from the A377 including

- Approved Lay-by arrangements
- Access arrangements for site traffic entering and exiting the A377

- Signalised crossing of the A377
- An acceptable Road Safety Audit of the proposals being put forward.

have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the proposal shall be implemented in accordance with the approved details at all times.

Reason: To provide a safe and suitable access for all users and prevent a severe impact on the operation of the A377, in accordance with paragraph 32 of the National Planning Policy Framework.

- 26) No part of the development hereby approved shall be occupied until the arrangements pertaining to condition 25 above have been provided in accordance with details previously submitted to, and agreed in writing, by the Local Planning Authority and shall be retained for these purposes at all times.
Reason: To provide a safe and suitable access for all users, in accordance with paragraph 32 of the National Planning Policy Framework.
- 27) Unless otherwise agreed in writing by the Local Planning Authority the existing access onto West Garth Road, as indicated on drawing P-SAE-005 Revision 11, shall be retained for use as a pedestrian and emergency vehicle access point to serve the development at all times.
Reason: To prevent severe highway impacts on the operation and safety of the A377, in accordance with paragraph 32 of the NPPF.
- 28) A Car Park Management Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority and Local Highway Authority prior to commencement of any part of the development. A review of travel behaviour shall be undertaken within 6 months of occupation of the development and the Car Park Management Plan updated on an annual basis thereafter, unless otherwise agreed with the Local Planning Authority.
Reason: To ensure that adequate on-site parking provision is provided and operated as to prevent a severe impact on the A377 and ensure safe and suitable access to the site is maintained, in accordance with paragraph 32 of the NPPF.
- 29) Unless otherwise agreed in writing by the Local Planning Authority no other part of the development hereby approved shall be commenced until the site access onto Cowley Bridge Road, and driveway up to the first passing place shown on drawing no. P-SAE-005 Rev 11, have been widened in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include information relating to the proposed re-built gate posts and new gates as well as the width of the access and the construction details for the widened section of the drive. Thereafter the development shall be completed strictly in accordance with the approved details.
Reason: To ensure that safe and suitable access is provided to the site and to ensure that the details are appropriate to the setting and character of this Grade II Listed Building.

RESOLVED that Listed Building Consent for the construction of a school be **APPROVED**, subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings

- 3) C17 - Submission of Materials
- 4) Prior to the commencement of works relating to the provision of the parking facilities in the south-east corner of the site a detailed construction method statement and detailed design specifications for these works shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the construction of this element of the scheme shall proceed strictly in accordance with the details approved pursuant to this condition.
Reason: To ensure that the construction of this parking area is carried out with minimal impact on the surrounding vegetation and in a design that is appropriate to the character and appearance of the setting of this Grade II Listed Building.
- 5) C57 - Archaeological Recording
- 6) Unless otherwise agreed in writing by the Local Planning Authority all of the interior works within Thomas Hall shall proceed strictly in accordance with individual room specification schedules that shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the works being carried out. The room specification schedules shall specify the interior finishes proposed.
Reason: In the interests of the preservation of the character and appearance of this Grade II Listed Building.
- 7) Notwithstanding Condition 2 and unless otherwise agreed in writing, no work shall commence on any individual building under this permission until details of the following for that building have been submitted to and approved in writing by the Local Planning Authority:-
Full elevational and sectional details of the following elements of the development to a scale of 1:20 and 1:5 :-
i) windows, cills, headers and reveals, including materials and fixing methods;
ii) all details of parapets, eaves, verges, rainwater goods, louvres, canopies and external doors.
Reason: To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development, and in the interests of the character and setting of this Grade II listed building.

38

PLANNING APPLICATION NO. 13/4984/01 - LAND KNOWN AS MONKERTON FARM ON WESTERN AND EASTERN SIDES OF CUMBERLAND WAY, EXETER

The Assistant Director City Development presented the application for outline planning permission for residential development scheme including new access to Cumberland Way and internal roads to accommodate two way public transport link between Cumberland Way and Harts Lane, and associated infrastructure (All matters reserved for future consideration apart from access).

Members were circulated with an update sheet - attached to minutes.

The Assistant Director City Development reported the receipt of seven additional objections and a revision to the directed condition sought by the Highways Agency. Late representations queried whether the design of the right turn out of the site onto Cumberland Way was appropriate and sought a roundabout to serve both this development and the site opposite which had been purchased by Barratt Homes.

Councillor Macdonald, having given notice under Standing Order No. 44, spoke on the item

- the proposed road layout shown in drawing No. V2A - Preliminary Road Layout is unsatisfactory, in that it does not allow for the creation of a roundabout which would serve development to the west equally as development is being served to the east of Cumberland Way. Request that the drawing be withdrawn and serious consideration be given to the optimum road layout, with the potential to serve developments on both sides of Cumberland Way. The redesign of the Cumberland Way single access point into a roundabout serving both sides of Cumberland Way is the best solution to problems associated with Station Road and Pinn Lane;
- Pinhoe is subject to a large number of separate developments and no individual development should be considered in complete isolation. Where a development has a feature which might, at an early stage, be altered so as to facilitate improvements in an adjacent development this ought to be given due consideration, the application by Barratt Homes, for example, on the west side of Cumberland Road has significant difficulties including construction site traffic and eventual residents' traffic. Traffic issues will therefore cause nuisance and it is therefore reasonable to look at adjacent developments to see whether an alternative access route can be achieved;
- the Monkerton masterplan has already been over-ridden, in other planning applications, in favour of later improved proposals. It is not an authoritative document, but an amalgamation of design concepts meant to guide development. It can have no deciding status as to whether or not there should be a roundabout;
- construction site traffic has been a significant problem to Pinhoe residents particularly at Station Road or Pinn Lane over the past two years – noise, weight of lorries damaging the road, affect on South West Water's underground pipes. Crucially, the agreed route for the construction lorries was on two-way traffic roads, with pavements on both sides;
- County Councillor Morse is supportive of a roundabout as is Gareth Kendall, who is in charge of Barratt Homes' Monkerton development. There are already more roundabouts on the Sowton side of Cumberland Way and there should therefore be a similar number on the Pinhoe side - the addition of a fourth roundabout is not excessive - it merely equalises, on either side of the ridge, the access routes off Cumberland Way.
- at the very least, make provision for site construction traffic access to the east side of Cumberland Way, as well as its provision to the west.
- oppose the opening up of Monkerton Drive and converting from a cul-de-sac into an avenue as it would need the width of the road to be increased, which would bring traffic too close to the mature trees. Although it has been the intention to open up the cul-de-sac this was before the Residential Design Guide supplementary planning document was upgraded. The proximity of the road to houses in this specific style of development would not now be favoured. There is too much loss of amenity if traffic levels were to rise even by 10% let alone the far larger percentage of vehicles that would be travelling back and forth day and night because of Monkerton Drive being the only access. There would be no need to open it up as a roundabout entry point from Cumberland Way was a genuine option

Mrs Thompson spoke against the application. She raised the following points:-

- work on the Tithebarn Link road is set to commence in July 2014 and will impact on the other roads in Pinhoe notably Pinn Lane and Station Road. Part of the former is to be closed and this is likely to lead to tail backs on Station Road and lead to dangerous conditions at the railway crossing. The report does not refer to the frequency of closures of the safety barrier at the level crossing;

- support call for roundabout at Cumberland Way to serve the housing development to the west; and
- further information required in respect of closure of Pinn Lane.

Members referred to the need for more than 10% open space to create a Ridge Line Park.

The Highway Development Management Officer explained why the County Council was not supportive of an additional roundabout. The proposed priority junction was desired so that the proposed primary school (for 620 pupils) would not be off a cul de sac. Cumberland Way was a classified route carrying a reasonably amount of traffic and to maintain its function it was necessary to minimise the access points onto it. A roundabout was opposed as it would be detrimental to pedestrians and cyclists travelling north-south on Cumberland Way and was likely to have a higher accident rate than a ghost island priority junction. In addition, the proximity of the roundabout to the Pinhoe Road traffic signals would not be acceptable and it would be unreasonable to require the development east of Cumberland Way and north of Harts Lane(circa 60-80 dwellings) to provide a roundabout.

The Highway Development Management Officer also explained why there was a need for the roundabouts on the Sowton side of Cumberland Way but that an additional roundabout was both contrary to the National Planning Policy Framework and the County Council's highway hierarchy. He stated that construction access off of Cumberland Way, if feasible, would be preferable.

Because of the late receipt of objections relating to the issue of an additional roundabout Members felt that further evidence for the assertion that a roundabout was not required would be helpful. It was also felt that a site inspection should be held.

RESOLVED that the application for outline planning permission for residential development scheme including new access to Cumberland Way and internal roads to accommodate two way public transport link between Cumberland Way and Harts Lane, and associated infrastructure (All matters reserved for future consideration apart from access) be **DEFERRED** for a site inspection by all Members of this Committee (with an invitation to Ward Members), Members to all consider the traffic consequences of the future developments on this area.

39

PLANNING APPLICATION NO. 14/0395/26 - LAND BETWEEN HOLLOW LANE AND HARTS LANE, EXETER, EX1

The Assistant Director City Development presented the Devon County Council Consultation for a new 630 pupil primary school with potential to increase to 840 in the future.

Members were circulated with an update sheet - attached to minutes. It set out revised pupil numbers provided by Devon County Council.

RESOLVED that the City Council **RAISE NO OBJECTION** in principle to the proposal, subject to the removal of the reference to future temporary buildings and to a commitment that the following matters will be secured:-

- co-located community facilities, including arrangements for access and management to be achieved through a Section 106 Agreement under the Town and Country Planning Act 1990;
- pedestrian/cycle access to the site from Hollow Lane.

- conditions requiring connection to the District Heating Network when this becomes feasible, and the achievement of a BREEAM 'excellent' development, both in accordance with the terms set out in the City Council's Core Strategy.
- further conditions relating to materials, landscaping, sustainable travel and the provision of cycle storage facilities, showers and lockers for staff, implementation of a wildlife plan, a Construction Environmental Management Plan, a noise assessment and contaminated land.

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PLANNING APPLICATION NO. 14/0057/03 - LAND TO WEST OF PILTON LANE, EXETER

The Assistant Director City Development presented the application for planning permission for a three storey building containing 41 retirement apartments including communal facilities and associated car parking and landscaping.

Councillor Macdonald, having given notice under Standing Order No. 44, spoke on the item

- fully support the application which is a good example of an applicant having consulted extensively with local residents. The development will be an asset to the local community as Pinhoe has a high proportion of elderly residents some of whom will be looking to move into the units if they decide that they require a greater level of supported living.

Mr Shellum spoke in support of the application. He raised the following points:-

- full consultation has been carried out with local residents
- the design meets the standards of the Core Strategy
- 35 car parking spaces will be provided for the 41 units which is 50% higher than the level of parking provided at the McCarthy and Stone development at Isabel Court in Cowick Street;
- the development helps meet the need for flexible housing opportunities in the City for the elderly. Some 70% of elderly residents in Exeter are owner occupiers and their movement to specialised housing will release housing for other families in the City; and
- the nature of this development does not lend itself to include affordable housing but McCarthy and Stone are set to provide some £700,000 through CIL and the New Homes Bonus; and
- the development does meet energy efficient requirements.

He responded as follows to Members' queries:-

- McCarthy and Stone are committed to the district heating system and would sign up immediately if it was in place. It was likely that full connection of internal systems for space and water heating would take a number of years before being connected to the proposed decentralised energy network with necessary on site infrastructure also put in place for connection of those systems to the network; and
- the average age of residents is in the late 70's and many remain very active and make use of the social activities organised within the complex such as quizzes etc. Facilities will include a residents' lounge, on site laundry, guest suite, manager's office etc.

RESOLVED that, subject to prior consultation with the Chair of the Planning Committee, the Assistant Director City Development be granted delegated authority, to **DETERMINE** the application for planning permission for a three storey building containing 41 retirement apartments including communal facilities and associated car parking and landscaping, subject to a Section 106 Agreement under the Town and Country Planning Act 1990 (if such an Agreement is deemed necessary) to secure affordable housing (if found to be viable) and connection to district heating (this could alternatively be dealt with via a condition if the applicant prefers) and subject also to the following conditions (which may be varied or supplemented as appropriate):-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C36 - No Trees to be Felled
- 6) C37 - Replacement Planting
- 7) C38 - Trees - Temporary Fencing
- 8) 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.
- 9) The applicant shall submit a scheme for protecting all flats facing on to Pinhoe Road from road noise, internal noise sources and any associated plant. The scheme shall give consideration to providing adequate ventilation without compromising the internal acoustic environment.

The scheme shall include details of all building services plant, including sound power levels and predicted sound pressure levels at a specified location outside the building envelope.

The scheme will also provide detail and location of external screening and predicted external noise levels in amenity areas.

The scheme will be based on the results of the aforementioned assessment and shall be submitted to and approved by the Local Planning Authority before development commences.

All works that form part of the scheme shall be completed before any of the permitted development is occupied. The applicant should aim to achieve the 'Good' standards for internal noise level specified in BS8233:1999 Sound Insulation and Noise Reduction for Buildings – Code of Practice.

Reason: In the interests of the amenity of the occupants.

- 10) The buildings comprised in the development hereby approved shall be constructed so that their internal systems for space and water heating are capable of being connected to the proposed decentralised energy network. Prior to occupation of the development the necessary on site infrastructure

shall be put in place for connection of those systems to the network at points at the application site boundary agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

- 11) The development hereby approved shall achieve Code for Sustainable Homes Level 4 (including a 44% CO2 emissions rate reduction from Part L 2006) as a minimum, and a CSH Level 5 (Zero Carbon) if commenced on or after 1st January 2016, in accordance with the requirements of the Code for Sustainable Homes 2006 and the Code for Sustainable Homes Technical Guide November 2010 (or such equivalent standard that maybe approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15.

Reason: In the interests of sustainable development.

- 12) Prior to commencement of development the developer shall submit to the Local Planning Authority a Design Stage CSH assessment including the score expected to be achieved and which standard this relates to. Where this does not meet the minimum required standard the developer must provide details of what changes will be made to the development to achieve the minimum standard, and thereafter implement those changes. Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be occupied until an application for a Final Code Certificate has been made seeking certification that the required Code Level has been achieved and within one year of occupation the developer shall submit to the Local Planning Authority a Final Code Certificate to demonstrate that a Final Code Level of 4 or 5 has been achieved as required above.

Reason: In the interests of sustainable development.

- 13) Unless otherwise agreed in writing by the Local Planning Authority, prior to occupation of the development, the biodiversity enhancement measures set out in the agreed Habitat Management and Biodiversity Plan shall be implemented.

Reason: In accordance with the terms of the submitted application and to enhance biodiversity.

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PLANNING APPLICATION NO. 13/4937/03 - 15 REGENTS PARK, EXETER, EX1
2NT

The Assistant Director City Development presented the application for variation of condition two to approve amended plans showing alterations to entrances and layout (Ref No. 12/0922/03 granted 11.09.12).

The Assistant Director City Development reported that a letter had been received from the objector's Solicitor requesting the alteration of condition three to read "three" instead of "six" months and that evidence be provided that insulation works carried out at the property had been undertaken satisfactorily. It was accepted that as the works had been undertaken it was not possible to provide satisfactory evidence other than a statement from the contractor who had undertaken the work.

RESOLVED that the application for variation of condition two to approve amended plans showing alterations to entrances and layout (Ref No. 12/0922/03 granted 11.09.12) be **APPROVED**, subject to the following 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 91-92 of the Town and Country Planning Act 1990.
- 2) C15 - Compliance with Drawings
- 3) Within three months of the date of this permission, the applicant shall confirm in writing to the Local Planning Authority, together with written confirmation from the contractor who undertook those soundproofing works, that the soundproofing works shown on the drawings approved under condition 2 have been implemented.
Reason: To ensure that the potential for noise disturbance to the adjoining neighbours is minimised.

42 **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

43 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

44 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party be held on Tuesday 1 April 2014 at 9.30 a.m. The Councillors attending will be Bialyk, Mrs Henson and Sutton with all Members of this Committee and Ward Councillors also invited.

45 **ENFORCEMENT REPORT**

The Assistant Director City Development presented the report updating Members on enforcement matters.

RESOLVED that the report be noted.

46 **MATTHEW PAGE, PLANNING SOLICITOR**

The Chair reported that this would be the last Planning Committee of Matthew Page, the Planning Solicitor. The Chair and Members thanked Matthew for his hard work and service to the Council and wished him well for the future.

(The meeting commenced at 5.30 pm and closed at 8.20 pm)

Chair