

## **PLANNING COMMITTEE**

Monday 28 October 2019

### **Present:-**

Councillor Lyons (Chair)

Councillors Williams, Bialyk, Branston, Foale, Ghusain, Harvey, Mrs Henson, Mitchell, M, Morse, Sheldon and Sutton

### **Also Present**

Service Lead City Development, Principal Project Manager (Development) (MH), Principal Project Manager (Strategic Policy) (JD), Principal Project Manager (Development) (PJ), Principal Project Manager (Development) (HS), Assistant Highways Development Management Officer (Exeter) and Democratic Services Officer (Committees)

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### **MINUTES**

The minutes of the meeting held on 30 September 2019 were taken as read, approved and signed by the Chair as correct.

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### **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

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### **PLANNING APPLICATION NO. 19/0770/FUL - POLICE HQ DEVON AND CORNWALL CONSTABULARY POLICE TRAINING COLLEGE**

The Principal Project Manager (Development) (MH) presented the application for the formation of a temporary car park comprising a total of 287 spaces on 1.35 hectares in the middle of the site for a period of three years, the land comprising a stoned finish.

The Principal Project Manager (Development) advised that the County Council, as Lead Local Flood Authority, sought the submission of details in respect of a surface water drainage management plan.

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

- Middlemoor is the Devon and Cornwall Police command and control centre with around 2,000 officers. Increased parking is required during specialist operations, especially for strategic co-ordination with partner agencies during a crisis. Staff are drawn from four Counties;
- the new Police Station will see an increase of around 250 officers working at Middlemoor and the remodelling of the campus will impact on parking spaces;
- the application is to cope with existing demand and not additional officers from the Heavitree Road site;
- to mitigate flooding concerns, the type of stone to be used has been changed and a survey carried out to ensure the soil has a good contaminant attenuation potential;
- the ground has very low permeability which will prevent contaminants entering the watercourse and spill kits will be inserted in case of a fuel spillage.

Consideration will be given to providing a textile membrane to soak up any contaminants;

- this is a temporary application as reliance on vehicles will be reduced. By 2021, officers will be issued with better mobile devices and staff may work remotely. The timeframe for the car park has been reduced from five to three years; and
- the Force is committed to a green agenda and promoting sustainability.

During discussion the following points were raised:-

- urge early consultation on Green Travel Plan to secure support of officers and unions, accepting that a nine month period is necessary to consult;
- seek to encourage sustainable transport choices amongst staff/officers and to reduce overall parking demand through Green Travel Plan initiatives; and
- other Green Travel Plans in the city should be studied to embrace best practice with consideration to be given to introducing car parking charges.

The recommendation was for approval once satisfactory clarification of drainage matters had been received, subject to the conditions as set out in the report.

The recommendation was moved and seconded.

**RESOLVED** that, subject to the receipt of a surface water drainage management plan to the satisfaction of Devon County Council as Lead Local Flood Authority, planning permission for the formation of a temporary car park comprising a total of 287 spaces on 1.53 hectares in the middle of the site, for a period of three years, be **APPROVED**, subject also to the following conditions:-

- 1) The development to which this permission relates must be begun not later than the expiration of one year beginning with the date on which this permission is granted and the applicant shall notify the Local Planning Authority of the intended date of the commencement of works to implement the permission prior to work commencing.  
**Reason:** To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990 and to enable the Local Planning Authority to monitor the period of the temporary consent hereby approved;
- 2) The use hereby approved shall cease on or before the date three years post the date of the commencement of works to implement this temporary consent as referred to in condition 1.  
**Reason:** The use is considered unsuitable on a permanent basis in this locality in the context of its potential impacts on the local highway network and the desirability of promoting less reliance on the motor vehicle in favour of more sustainable modes of transport which have less adverse environmental impacts; and
- 3) Within nine months of the date of commencement of works to implement this temporary consent, a bespoke Green Travel Plan relating to the Middlemoor complex and all activities carried out therein shall be submitted to, and be approved in writing by, the Local Planning Authority. The Green Travel Plan shall specifically address the measures to be implemented to ensure that the temporary car park is no longer required beyond the temporary three year period hereby approved.  
**Reason** – To encourage and promote the use of sustainable modes of transport in preference to the use of the private motor vehicles, and working practices that minimise the demand for parking at the site in the interests of sustainable development.

**PLANNING APPLICATION NO. 19/1047/FUL - LAND OFF ST LEONARDS ROAD, EXETER**

The Principal Project Manager (Development) (PJ) presented the application for seven new build dwellings, associated landscaping, amenity and vehicular access. The application sought to change the use of the existing playing field, owned by the Exeter Royal Academy for Deaf Education (ERADE), for housing and public open space.

The Principal Project Manager (Development) reported the following:-

- the receipt of a statement objecting to the proposal from Councillor D. Moore;
- a proposed amendment to the first reason for refusal to include reference to the adverse impact on the St Leonards Conservation Area; and
- the distance from the proposed properties from those on Barnardo Road being 25 metres not 35 metres as set out in the report, requiring an additional reason for refusal on the grounds of the overbearing impact on Barnardo Road.

Councillor J. Moore, having given notice under Standing Order No. 44, spoke on the item. She raised the following points:-

- local community object strongly to the loss of an historic open green space;
- because of the strength of local opposition, signs originally displayed by the applicant were quickly removed;
- this green space should be saved from development and used instead for the benefit of the community. A well-resourced local community is committed to an alternative vision for community use;
- ERADE and the developers are seeking to maximise planning gain and profits. The former should have sought instead to work with the Neighbourhood Association to bring forward a sustainable solution for the community; and
- it is an unsuitable, low density development.

Councillor J. Moore put forward the following points raised by Councillor D. Moore:-

- valuable playing field historically used by school, community and sporting groups, not affiliated with ERADE, for recreational activity for many years;
- private owners more than the wider public likely to use the open space;
- Sport England object and the proposed open space does not suit the Council's own playing field strategy;
- proposal lacks a sustainable transport plan and the already high pollution levels in the area will increase; and
- loss of biodiversity.

Councillor Vizard, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- very high number of objections to an inappropriate development;
- a low density development of large houses does not reflect the mixed nature of the St Leonards community and house types;
- the St Leonards Neighbourhood Association have devised an alternative solution to protect the green open space;
- ERADE failed to adequately consult the local community;
- the proposed open space will not be particularly accessible to the community;
- insufficient information on highway issues and there are concerns regarding the

impact on the school dropping off point. 23 car parking spaces are excessive for only seven properties;

- negligible contribution to housing need in the city;
- objections from Sport England, the Football Foundation, Devon County Council, the City Council's Heritage Officer and 225 residents and the application is recommended for refusal; and
- important green buffer between the community and Topsham Road and with a future potential for community and sporting uses and a community centre.

Mr Fitzhugh spoke against the application. He raised the following points:-

- the Council's own Playing Field Appraisal points out the shortage of accessible community use provision and Sport England are opposed;
- the community has put forward its own vision, that is, to purchase the playing field and run it more commercially. A second phase would be an indoor community space;
- the intention is to set up a separate charitable trust to buy the field and run it for the community. This much needed access to playing fields can be provided without a cost to the Council in running such a facility;
- the applicant's provision for "public access land" is unacceptable in size;
- if this playing field is removed it will be lost forever; and
- the proposed open space within the development is too small for sporting and recreational activities.

During discussion the following points were raised:-

- detrimental impact on neighbouring properties;
- loss of a valuable local amenity; and
- highway objections and additional traffic would create dangerous conditions close to a very busy school.

The recommendation was for refusal for the reasons as set out in the report.

The recommendation was moved and seconded.

**RESOLVED** that planning permission for seven new build dwellings, associated landscaping, amenity and vehicular access be **REFUSED** for the following reasons:-

- 1) The proposal is contrary to Sections 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to Section 16 of the National Planning Policy Framework Policy and to Policies C1, C2 and C5 of the Exeter Local Plan First Review 1995 to 2011 because by reason of the development of this space and the unacceptable density, layout, siting, height and design of the proposed dwellings the development would cause a degree of harm to the area's heritage assets (notably the listed buildings of 1 St Leonards Place, St Leonards Church, potential buried archaeological remains and the St Leonards Conservation Area) that is not balanced by sufficient public benefit and would not preserve the setting of these listed buildings nor preserve or enhance the character or appearance of the area;
- 2) The proposal is contrary to the Section 8 of the National Planning Policy Framework, Policy CP10 of the Exeter Local Development Framework Core Strategy, Policies L5 of the Exeter Local Plan First Review 1995 to 2011

and Sports England's Planning Field Policy because the development result in the loss of an existing playing fields which would harm recreational opportunities in the area.

- 3) The proposal would be contrary to Section 12 of the National Planning Policy Framework, Policy CP17 of the Exeter Local Development Framework Core Strategy Policies DG1 and DG4 of the Exeter Local Plan First Review and the Council's Supplementary Planning Document 'Residential Design' because the location of the three areas of public open space would be inappropriately sited in relation to the proposed dwellings resulting in a poor level of natural surveillance and preventing the usability of the area by nearby residents and the wider community.
- 4) In the absence of sufficient highway information, particularly in respect of a Road Safety Audit regarding parking spaces, the Local Planning Authority as advised by the Local Highway Authority is unable to confirm that the scheme meets necessary highway safety standards onto the existing highway network and therefore is contrary to Policy DG1 of the Exeter Local Plan First Review.
- 5) the proposal would be contrary to Policy DG1 of the Exeter Local Plan First Review because its siting, scale and height would be overbearing and dominant and therefore detrimental to the visual and residential amenities of the occupiers of adjacent properties in Barnardo Road.

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**PLANNING APPLICATION NO. 19/0360/FUL - LAND ADJACENT TO 17 NEW NORTH ROAD, EXETER**

The Principal Project Manager (Development) (JD) presented the application for the demolition of existing garages and construction of one building to form five new apartments and associated landscaping. The proposed development would be car free and retains the two beech trees along the site frontage. The development would be five storeys high, with the lowest floor level being situated below the current ground level.

Councillor Owen, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- welcome long term residential provision on this brown field site;
- design unsuitable as set between two 19<sup>th</sup> century listed terraces;
- the St James Forum, whilst welcoming some changes, are concerned that a five apartment block is over development with associated loss of amenity and hope that plans can be examined further;
- the Bury Meadow Residents' Association object as the massing does not respect the scale and character of the surrounding area and is monolithic in form, changing the nature of the street scene;
- the height of the building will cause significant harm to neighbouring private residential gardens;
- guidance within the SPD on communal open space has not been followed impacting on the privacy of 16, 17 and 18 New North Road;
- no provision for disabled drivers;
- floodwater problems on New North Road will be exacerbated; and
- request deferral for submission of revised details.

Mr Macquisten spoke against the application. He raised the following points:-

- objecting on behalf of the Bury Meadows Residents' Association;
- the proposal is surrounded by listed buildings and the aesthetics of this proposed building are poorly judged and will jar with the surrounding listed terraces and harm designated heritage assets;
- the building will overlook the rear aspects of neighbouring gardens and the higher rear elevation, greater set back and large glass windows of the development will compound the impact on privacy;
- excessive mass amplifies issues of aesthetics, privacy and light. The mass is out of line with the existing listed terraces; and
- the listed terraces are three story buildings but the proposal is five storeys high. The existing listed terrace is just 9 metres deep and this proposal will stick out an additional 6.5 metres.

The Principal Project Manager (Development) confirmed that:-

- the Council was not aware of any proposals for development to the rear of the site;
- disabled parking was not considered necessary as any disabled resident could apply for a blue badge and there is a disabled parking bay along New North Road;
- parking on the frontage would look unattractive in the Conservation Area; and
- although there would be some loss of light for neighbouring properties it was not considered that this would be so great as to warrant refusal.

During discussion the following points were raised:-

- good infill development and not unsympathetic to the surrounding area;
- a modern development can be more suitable in a street scene of older design rather than seeking to emulate the existing properties;
- efficient use of infill site;
- cycle parking provision should be greater than seven;
- although a car free development, visitors by car will seek to park in the area and, ultimately, the County Council could provide permits; and
- mass is too great and oppose development on grounds of aesthetics, privacy, size and loss of light.

A motion to defer the application for a revised proposal to be put forward was moved and seconded, put to the vote and lost.

The recommendation was for approval, subject to the conditions as set out in the report.

The recommendation was moved and seconded.

**RESOLVED** that, subject to an amended condition 10) requiring the provision of at least 10 cycle parking spaces, planning permission for the demolition of existing garages and construction of one building to form five new apartments and associated landscaping 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 Section 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, 8 March, 18 September, 19 September, 8 October, 10 October and 16 October 2019 (including dwg. nos. 17NR Cladding Colour, J-0260-SLP-01-C, J-0260-EL-01-D, J-0260-EL-02-C, J-0260-EL-03-D, J-0260-EL-04-C, J-0260-EL-05-D, J-0260-GA-01-D, J-0260-GA-02-D and J-0260-DET-01) and the Energy Assessment, Bat and Protected Species Survey, and Arboricultural Impact Assessment and Tree Protection Statement and Plan as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) Pre-commencement condition: No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.  
**Reason:** To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.
- 4) Pre-commencement condition: No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:
- a) The site access point(s) of all vehicles to the site during the construction phase.
  - b) The parking of vehicles of site operatives and visitors.
  - c) The areas for loading and unloading plant and materials.
  - d) Storage areas of plant and materials used in construction.
  - e) The erection and maintenance of securing hoarding, if appropriate.
  - f) Wheel washing facilities.
  - g) Measures to control the emission of dust and dirt during construction.
  - h) No burning on site during construction or site preparation works.
  - i) Measures to minimise noise nuisance to neighbours from plant and machinery.
  - j) 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.
  - k) No driven piling without prior consent from the LPA.
- The approved Statement shall be strictly adhered to throughout the construction period of the development.  
**Reason:** In the interests of residential amenity.
- 5) Pre-commencement condition: 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 building(s) 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.

- 6) Pre-commencement condition: Before commencement of construction of the development hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of any dwelling the developer will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.

**Reason:** In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15.
- 7) Pre-commencement condition: Prior to the commencement of the development full construction details of any retaining walls shall have been submitted to and approved in writing by the Local Planning Authority. The development/works shall be implemented in accordance with the approved details.

**Reason:** To protect and preserve the setting of the listed buildings and in the interests of residential amenity.
- 8) Pre-commencement condition: The development shall not be carried out otherwise than in accordance with a surface water drainage scheme, which shall include details of the means of attenuation and disposal of surface water from the site, including through the use of sustainable drainage systems. Foul drainage from the development (and no other drainage) shall be connected to the public foul or combined sewer. Details of the scheme, a timetable for its implementation and details of its future management, shall be submitted to and approved in writing by the LPA prior to the commencement of development. The scheme shall be implemented in accordance with the approved details and timetable for implementation.

**Reason:** To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems and to ensure the discharge of drainage from the development shall not be prejudicial to the public sewerage system.
- 9) Samples of the materials it is intended to use in the construction of the development (including in the structure of the exoskeleton, its exterior cladding and all other external materials) shall be submitted to the Local Planning Authority. No materials 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 in all respects.

**Reason:** To ensure that the materials conform with the visual amenity requirements of the area.
- 10) No part of the development hereby approved shall be brought into its intended use until at least 10 secure sheltered cycle spaces have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.



**Reason:** To provide adequate facilities for sustainable transport.

- 11) No part of the development hereby approved shall be occupied until the redundant access on New North Road is reinstated to a full height kerb have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

**Reason:** To provide a safe and suitable access, in accordance with Paragraph 108 of the National Planning Policy Framework.

- 12) Prior to the first occupation of the development hereby permitted, a Management Scheme, to cover management and maintenance of communal areas, including communal landscaped gardens, car and cycle parking and bin storage, shall be submitted to and approved in writing by the Local Planning Authority. The content of the Management Scheme shall include:

- a) details of areas to be managed
- b) aims and objectives of the Scheme
- c) management actions
- d) delivery mechanism
- e) the body responsible for implementation of Scheme

The Management Plan shall also include details of the legal and funding mechanism to ensure long-term implementation. All post-construction site management shall be undertaken in accordance with the Scheme.

**Reason:** In the interests of the amenity of residents and the character and appearance of the area.

- 13) A detailed scheme for landscaping that accords with the Landscape Strategy submitted on 11 October 2019 shall be submitted to the Local Planning Authority and no dwelling or building shall be occupied until the Local Planning Authority have the detailed scheme. The detailed scheme shall cover the planting of trees and or shrubs (including species, tree and plant sizes, numbers and planting densities), details of the living wall system, the use of surface materials, boundary screen walls and fences and any and earthworks or retaining walls 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 the agreed programme.

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

- 14) Any trees, shrubs and/or hedges on or around the site shall not 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.

- 15) Before the development hereby approved is brought into use the proposed windows in the east and west elevations of the property shall be permanently fixed and glazed with obscure glass to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and thereafter so maintained. Furthermore, no new windows or other openings shall be inserted in the east or west elevations.

**Reason:** To protect the amenities of the adjoining property.

## 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 funding 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) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Where a chargeable development is commenced before the Local Authority has received a valid commencement notice (i.e. where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see [www.exeter.gov.uk/cil](http://www.exeter.gov.uk/cil).
- 3) In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission
- 4) The applicant's attention is drawn to the requirements of South West Water set out in their emailed communication dated 23 May 2019.

#### **PLANNING APPLICATION NO. 19/0458/ECC - GREEN LANE SOLAR FARM**

The Principal Project Manager (Development) (HS) presented the application for solar panel array and battery storage, relocation of green waste facility and ground levelling with associated access, fencing, hardstandings and ancillary works.

During discussion the following points were raised:-

- a suitable location for a facility of this nature supplying cheap electricity to fuel electric vehicles and contributing to the goal of carbon neutrality and reducing air pollution;
- ecological survey confirms that the species to be removed are of low quality; and
- facility will be fenced and covered by Close Circuit Television.

The recommendation was for approval, subject to the conditions as set out in the report.

The recommendation was moved and seconded.

**RESOLVED** that planning permission for a solar panel array and battery storage, relocation of green waste facility, and ground levelling with associated access, fencing, hard-standings and ancillary works be **APPROVED**, subject to the following conditions:-

- 1) The development to which this permission relates must be begun not later than the expiration of five 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 9th and 10th September 2019 and the revised planning statement received 9th October 2019 as modified by other conditions of this consent.  
**Reason** In order to ensure compliance with the approved drawings.
- 3) Prior to the installation of any solar panels, supporting structures, batteries or associated apparatus a detailed levels survey of the site shall be undertaken and plans showing the existing and proposed levels of the land on the site shall be submitted to and approved by the Local Planning Authority.  
**Reason:** To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 4) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
  - a) Fencing
  - b) Supporting Structures for Solar Panels
  - c) Water Lane vehicular access details**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 5) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no dwelling or building shall 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 the agreed programme.  
**Reason:** To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity..
- 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) No development (including ground works or demolition) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:
- a) The site access point(s) of all vehicles to the site during the construction phase.
  - b) The parking of vehicles of site operatives and visitors.
  - c) The areas for loading and unloading plant and materials.
  - d) Storage areas of plant and materials used in constructing the development.
  - e) The erection and maintenance of securing hoarding, if appropriate.
  - f) Wheel washing facilities.
  - g) Measures to control the emission of dust and dirt during construction.
  - h) No burning on site during construction or site preparation works.
  - i) Measures to minimise noise and vibration nuisance to neighbours from plant and machinery.
  - j) 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.

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

**Reason:** In the interests of protecting the environment and amenity of the area.

- 8) Vehicular access to the site to access the uses hereby approved shall be from Water Lane only.  
**Reason:** In the interests of highway safety
- 9) Prior to commencement of construction the applicant shall submit a noise impact assessment, including recommendations for the mitigation of any significant adverse noise impact. The agreed measures shall subsequently be implemented on site.  
**Reason:** In the interests of protecting the amenity of the area.
- 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 building(s) 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 human health and environmental protection.

- 11) Prior to the development hereby permitted being brought into use, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be prepared in accordance with the submitted Ecological Appraisal and specifications in clause 11.1 of BS 42020:2013 (or any superseding British Standard) 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.

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.

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

The report of the Service Lead City Development was submitted.

**RESOLVED** that the report be noted.

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#### **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

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#### **SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 19

November 2019 at 9.30 a.m. The Councillors attending will be Councillors  
Branston, Bialyk and Foale.

(The meeting commenced at 5.30 pm and closed at 7.45 pm)

Chair

DRAFT