

Planning Committee Report 24/0531/RES

1.0 Application information

Number:	24/0531/RES
Applicant Name:	Mr Ben Smith,
Proposal:	Reserved Matters Application (appearance, landscaping, layout and scale) pursuant to outline planning permission 20/1380/OUT for residential development of 80 homes and associated infrastructure
Site Address:	Land At Redhills Exwick Lane Exeter
Registration Date:	16 May 2024
Link to Documentation:	https://exeter.gov.uk/planning-services/permissions-and-applications/related-documents/?appref=24/0531/RES
Case Officer:	Mr Christopher Cummings
Ward Member(s):	Cllr Bialyk, Cllr Knott, Cllr Patrick

This application is going to Planning Committee in the public interest as the Chair and Vice-chair of the Planning Committee represent the Exwick Ward, in which this application is sited.

2.0 Summary of recommendation

Approved subject to conditions

3.0 Reason for the recommendation:

The principle of residential development and the access point have been allowed through the appeal decision relating to application 20/1380/OUT. The applicant has worked proactively with the Council through a pre-application and the reserved matter planning process to create a scheme with distinct character areas and a good level of accommodation and amenity for residents. The location of the site makes the development visible from the wider area, however the design third character area has been designed to limit height where possible, provide 'villa' style dwellings to prevent the appearance of urban sprawl and introduced landscaping that will, over time, screen and soften the views.

The proposal is therefore considered to be acceptable subject to the conditions set out at the end of this report.

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	<p>The principle for development of the site was approved through the Outline appeal decision 20/1380/OUT (APP/Y1110/W/21/3278148).</p> <p>This secured up to 80 dwellings and the access point for vehicles onto Redhills.</p> <p>This proposal therefore deals only with the Reserved Matters of appearance, landscaping, layout and scale.</p>
Outline Approval	<p>The appeal decision placed 15 conditions with different timings for delivery; at reserved matters, pre-commencement, pre-occupation and general compliance.</p> <p>All conditions requiring submission of details for the Reserved Matters have been complied with.</p>
Site Layout	<p>The site is relatively narrow, with a single vehicular access point onto Redhills. A central spine road is proposed, which is a logical approach to this constraint, with two small side roads where the width allows. The layout has been split into three character areas.</p> <p>The first character area aims to reflect that of neighbouring dwellings on Redhills with detached dwellings and includes a play park and attenuation basin. Comments were raised with regards to the position of the play park and this location was chosen to reduce the development impacts on existing dwellings due to the raised position of this area of the site.</p> <p>The second character area is more densely developed with a mix of terraced and semi-detached dwellings. This area benefits from screening from wider views by existing woodland and the other character areas</p> <p>There is a landscape gap between character area two and three, which includes a smaller play park and pedestrian access to connect with Exwick Lane to the north.</p>

Issue	Conclusion
	<p>The third character area has a reduction in density, with detached villa style dwellings and flats. This area is the most visible from the surrounding area, however the use of a more formal layout creates a clear and organised residential area and limits the appearance of urban sprawl that would be created by a denser approach.</p> <p>To the south of this area will be attenuation basins, a path with additional play facilities and a large area of public open space.</p> <p><i>Highways</i></p> <p>The highways layout is considered acceptable by DCC Highways and there is suitable parking and cycle storage provision.</p> <p>There are four pedestrian links proposed, two to the west, one to the north in the centre of the site and one to the east connecting to an existing footpath which will provide links to a variety of directions from within the site. A pre-occupation condition remains on the Outline approval to 'facilitate pedestrian use of Redhill, including the provision of a footway between Exwick Lane and St Peter's Mount' which will be dealt with separately through the condition discharge process.</p> <p><i>Building Design</i></p> <p>The development is a mix of 2 and 2.5 storey buildings, in keeping with that of the surrounding area. In the more visible eastern area the roof heights have been reduced to limit visual impacts.</p> <p>There is a wide range of material choices in the surrounding area and this development will see the western area, by Barley Villas, reflect the surrounding built form, changing through the denser central area and into 'villa' style dwellings to the east. A condition is recommended for details of external materials to ensure they are appropriate.</p> <p>In-line with the requirements of the Outline approval 10% of the site is public open space.</p>

Issue	Conclusion
Amenity	<p><i>Occupant Amenity</i></p> <p>All dwellings meeting the Nationally Described Space Standards and there are no significant amenity impacts for future occupants. A number of gardens do not meet the recommended levels, however this is due to the need to increase buffer zones for the surrounding woodland area. The majority continue to meet the recommended levels and, on balance, this would not be a strong enough reason for refusal.</p> <p><i>Neighbour Amenity</i></p> <p>In terms of neighbour amenity the primary impacts are on the western and eastern edges.</p> <p>The western side is close to dwellings at Barley Villas and the location of the playpark limits dominance of buildings and overlooking of existing dwellings. To the north of this area are dwellings screened by hedgerow on both sides of Exwick Lane which, combined with the positioning of the buildings, will limit the level of overlooking and dominance.</p> <p>To the east is a public footpath and the rear of dwellings on Cheltenham Close. These dwellings are 39 metres distance, well in excess of recommended levels, and are screened by existing planting.</p>
Public Space	<p>The Unilateral Undertaking at Outline approval required 10% of the site to be Open Space and this has been met by the proposal. There is also a requirement for three play areas and these are provided through the site in the east, central and western areas.</p>
Highway Considerations	<p>The access point was approved at Outline stage. The overall highway layout is considered acceptable.</p> <p>There is a pre-occupation condition requirement for 'a scheme of improvements designed to facilitate pedestrian use of Redhill, including the provision of a footway between Exwick Lane and St Peter's Mount'. Details of this have not been submitted to the Council yet, however the applicant is aware of</p>

Issue	Conclusion
	<p>this requirement. As such, this matter does not form part of this applications considerations.</p> <p>Suitable vehicle and cycle parking has been provided for dwellings in line with the Residential Design Guide SPD.</p>
Biodiversity	<p>Following additional survey work and revisions to the submitted plans to increase buffer zones between boundary features and dwellings there was no objection to the scheme from the Council's ecologist on ecological grounds.</p> <p>The Outline permission was granted prior to the introduction of the mandatory 10% Biodiversity Net Gain and therefore this Reserved Matters application is not required to reach that level. However it is still required to ensure a net gain in line with national policy requirements, which has been achieved.</p> <p>To protect bats and other nocturnal species it is recommended to place a condition for a lighting strategy on any approval decision notice.</p> <p>The Outline consent required details of Arboricultural Method Statement, Tree Protection Plan, Landscape Ecological Management Plan and the Ecological Mitigation and Enhancement Strategy on the Outline approval. The conditions also required the works be undertaken in accordance with the approved documents and there is therefore no need to repeat the conditions on any Reserved Matters approval.</p> <p>The site is within the zone of influence of the Exe Estuary Special Protection Area. The Outline application undertook an Appropriate Assessment and confirmed that there would be recreational impacts. This was secured at the Outline stage and is therefore not a Reserved Matters consideration.</p>
Drainage	<p>Drainage is proposed through one attenuation tank and three attenuation basins connecting into the existing South West Water (SWW) public sewer.</p>

Issue	Conclusion
	<p>Following clarification of technical details and evidence of SWW agreeing to the connection it was confirmed with the Lead Local Flood Authority that this proposal was acceptable and the design details are proposed to be secured by condition.</p> <p>A pre-commencement condition for a Waste Audit Statement is also on the Outline approval to reduce waste during the construction phase. As this is already a requirement it is not necessary to place any additional requirement on the Reserved Matters.</p>
Construction Impacts	<p>There is an existing condition requirement on the Outline approval for an Environment Management Plan and Construction Management Plan. These will help mitigate the level impact on neighbouring dwellings during the construction in line with other developments in the city. As they are stated on the Outline approval it is not necessary to repeat them on any Reserved Matters approval. The Outline approval includes conditions requiring submission a Construction.</p>
Energy and Low Carbon	<p>The Outline approval has a condition requiring the development meets level 4 of the Code for Sustainable Homes. This has now been superseded by Building Regulations and suitable sustainable will continue to be required for the development.</p> <p>A pre-commencement condition for a Waste Audit Statement is also on the Outline approval to reduce waste during the construction phase. As this is already a requirement it is not necessary to place any additional requirement on the Reserved Matters.</p>
Planning Obligations	<p>Planning obligations were secured through the Outline approval. Due to the application being a Reserved Matters proposal it is not possible to revise or add any obligations at this stage.</p>

5.0 Description of site

The application site consists of two aspects, a 4.1 hectare area of open fields which will accommodate the housing development and a 0.15 hectare site of field and trees/hedgerow that will be used for the highway works on Redhills.

The smaller parcel is bordered by Redhills to the north-east and east and Barley Lane to the north-west and west. To the south is the remainder of the open field with dwellings further south and east.

The larger parcel has Redhills bordering the south-western side, with dwellings on the opposite (western) side of the road, and Exwick Lane bordering the north. The existing site is raised above the highway, with the height increasing as Exwick Lane goes from west to east.

To the east is a public footpath immediately adjacent to the site and the rear of dwellings on Cheltenham Close.

To the south the site borders three different aspects, a former breakers yard, woodland and the rear of properties on St Peters Mount including a continuation of the footpath to the rear of Cheltenham Close.

Further south are dwellings of St Peters Mount, set down significantly from the application site by the sloped nature of the area.

The site is 150 metres south of the Exeter City Council administrative boundary, with Teignbridge District Council, located across open fields beyond Exwick Lane. It sits on an east-west ridge that forms the skyline in various viewpoints in the surrounding area.

The site is currently accessible by a gated access from Redhills which is on the brow of the hill as Redhills drops steeply towards Exeter. This part of Redhills currently has no pedestrian footway between it and St Peters Mount, however delivery of a connection has been secured as a condition requirement through the associated Outline approval.

Mature hedgerow and trees form the boundary of the site, with internal hedgerow, with access gaps, creating four 'areas' within the site. There are a number of small ancillary buildings on the site that will be removed as part of this development.

6.0 Description of development

Outline permission 20/1380/OUT was granted at appeal for:

Outline planning application for up to 80 dwellings and associated infrastructure (All matters reserved except for access).

That approval saw vehicular access approved from Redhills, slightly north of the existing access point. The approval also secured highway works to Redhills to create a pedestrian footway to allow safe pedestrian movements from the site going south

through to the junction of Redhills and St Peters Mount. All other matters were reserved.

This application is for the Reserved Matters of appearance, landscaping, layout and scale, with the publicised description as follows:

(Reserved Matters Application (appearance, landscaping, layout and scale) pursuant to outline planning permission 20/1380/OUT for residential development of 80 homes and associated infrastructure

The site layout consists of a central spine road leading through three distinct areas of development. The first area includes a play area in the north-west corner and detached dwellings. The second is more densely developed semi-detached, terraced and apartment housing and the third is a mix of detached, semi-detached and apartment housing, including a second play area. A third play area sits between the second and third character areas. To the south of the third, eastern, area are attenuation basins and a large area of public open space on the slopes leading down to St Peters Mount.

7.0 Supporting information provided by applicant

- Arboricultural Method Statement – 1231-AMS-MU (29 April 2024)
- Energy Statement Rev 00 (05 March 2024)
- Compliance Statement – W0097 (May 2024)
- Ecological Mitigation and Enhancement Strategy – 1231-EMES-RB (May 2024)
- Designing Out Crime Statement (May 2024)
- Garden size Schedule (May 2024)

8.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
20/1380/OUT	Outline planning application for up to 80 dwellings and associated infrastructure (All matters reserved except for access).	Refused, but allowed at appeal.	18.06.2021
21/1088/OUT	Outline planning application for a residential development of up to 80 dwellings and associated infrastructure	WTD	23.09.2021

(Resubmission of Application
20/1380/OUT).

24/0381/ADV

Land Acquired 'V' board

PER

27.08.2024

9.0 Consultations

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

Teignbridge District Council – Advised that 'no comment'.

DCC Highways – No objection to proposal, noting that the access on Redhills was granted at appeal on the Outline consent and will not be dealt with as part of this proposal.

The estate road meets Manual for Streets widths, with vehicle tracking required at S38 stage to ensure it is feasible for refuse lorry movements.

Parking appears in line with SPD standards for vehicle and bicycles.

Any adoptable streets will need to be black tarmacadam and block paving will not be acceptable.

Conditions were recommended in relation to technical details of highway aspects, delivery of highway layout and parking spaces and a Construction Management Plan.

DCC Lead Local Flood Authority – Initially raised objections to proposal, however following submission of additional information this was withdrawn.

It has been confirmed that the site is not suitable for infiltration drainage and it is proposed to attenuate the flow through one attenuation tank and three attenuation basins connecting into an existing South West Water public sewer.

A condition was recommended for details of adoption and maintenance of the surface water drainage system.

ECC Affordable Housing – No objection to proposal.

The Affordable Housing split of 28 of the 80 dwellings meets the 35% Affordable Housing required. The clustering is in 3 groups and considered to be acceptable and the mix of dwelling units is acceptable. Initial comments raised concern regarding the level of parking and this has since been increased.

ECC Ecologist – Originally objected to the proposal due to scale of buffer zone between woodland edge and southern boundary, potential lighting impacts, details of hedgerow and mitigation strategies.

Following submission of additional information this objection was withdrawn subject to a condition requiring a sensitive lighting plan.

ECC Environmental Health – Requested a condition for noise impact assessment of noise from neighbouring land uses prior to commencement.

ECC Tree Manager – Originally objected to proposal as further information was required on the impact on trees. Following submission of additional information this objection was withdrawn.

ECC Waste – No objection to proposal with acceptable waste storage provision and distance to collection. Requested if the initial layout could be altered so refuse vehicle could reverse closer to eastern block of flats.

Designing Out Crime – No objection to scheme. Recommended the following alterations to improve crime and anti-social behaviour:

- Defensive planting adjacent to apartment block (plots 50-55) to prevent crime.
- Avoidance of planting adjacent to central footpath to enable good sight lines and reduce places for concealment.

Devon and Somerset Fire and Rescue Service – The service will make detailed comments at Building Regulations stage.

Exeter Airport – Advised that no conflict with safeguarding criteria and they have no objection.

Exeter Civic Society – Raised two areas of concern. The first is the lack of access for pedestrians/cyclists on the eastern boundary into Exwick Lane/Cheltenham Close. The second is that the LEAP is on the extreme western end isolated and poorly integrated to the development with no natural surveillance from the housing.

Natural England – Advised the scheme would have recreational impacts on Exe Estuary Special Protection Area SPA/Ramsar site and mitigation is required.

RSPB – Recommended bird boxes are located away from first floor bedroom windows and ideally at a height of 5 meters, not 6.

South West Water – Advised that the run-off destination hierarchy should be followed and agreed with the LPA.

Investment and delivery of clean potable water in this area is being assessed by SWW at this time and investment will be determined outside the planning application. No reinforcement of the sewerage network is needed.

Living Options Devon – Recommended that adequate provision be made for specialist adapted vehicles and mobility scooters.

10.0 Representations

12 comments have been submitted on this scheme, all objecting to the proposal.

The objections relate to:

- Lack of consultation and public engagement

- The relocation of the LEAP to the western edge is inappropriate and raises concerns about anti-social behaviour affecting the existing dwellings.
- More planting needed on western edge to limit harm to existing dwellings on Redhills.
- Pavement outside Barley Villas is private and not HMPE and there are no controls on parking here.
- No detail of western edge elevations provided. The land is higher than the road and this will impact on light to existing dwellings to the south.
- Insufficient detail on lighting as area is currently dark at night.
- Highway access opposite 1 Barley Villas is inappropriate. It is at the brow of the hill where vehicles regularly exceed the speed limit.
- A second vehicle access on the north-east side of the development is needed.
- No detail on how local schools, GP practices and other services will cope with additional population.
- Loss of green space.
- Increase in congestion.
- Increased pollution.
- Loss of wildlife habitats.
- Large amounts of CO2 released during construction and after as a non-organic environment is created.
- Run-off water and storm drains will add pollution to the Exe and its streams and tributaries.
- There are enough brownfield sites in within the city that should be used.
- Highway alterations will lead to traffic backing up on Redhills.
- Fewer properties being built would help resolve traffic issues.
- Barley Lane should be changed to an access only route to reduce vehicles using it.
- Very few residents will walk or cycle due to location of the site and no bus stops immediately adjacent to it.
- Site will see heavy car use due to location.
- Height of land for western play area will see it have impact on the skyline.
- Building heights will harm the skyline and detail of land reprofiling is needed.
- Large hedgerow buffers are needed around the site.
- Access lane is not designed for heavy traffic and has no footways.
- Drawings have changed from that shown in the Outline consent.
- Play area next to a busy road is dangerous.
- Oil tanker deliveries currently stop on Redhills and may be prevented by the highway alterations.
- The Redhills alterations will block access to/from Lugg's Farm.
- Trees on Redhills should be retained.
- Screening to replaced removed trees on Redhills should be provided.

It should be noted that the principle, quantum and access for this development were agreed as part of the Outline consent and does not form the considerations for this

application. The pedestrian link to Redhills is a pre-occupation condition and does not form part of this application unless directly linked to a material consideration. Matters relating to planning obligations towards schools, GP surgeries and other services were agreed at Outline stage through a S106 agreement and are not able to be revised in this Reserved Matters application.

All other matters will be addressed in the analysis section of this report.

11.0 Relevant policies

National

National Planning Policy Framework (December 2023)

National Planning Policy Guidance

National Design Guide

Development Plan

Exeter Local Plan First Review (31 March 2005)

AP1 – Design and Location of Development

AP2 – Sequential Approach

H1 – Search Sequence

H2 – Location Priorities

H7 – Housing for Disabled People

L4 – Provision of Playing Pitches

T1 – Hierarchy of Modes

T2 – Accessibility Criteria T3 – Encouraging Use of Sustainable Modes

LS2 – Ramsar/Special Protection Area

LS4 – Nature Conservation

EN3 – Air and Water Quality

EN4 – Flood Risk

EN5 – Noise

DG1 – Objectives of Urban Design

DG2 – Energy Conservation

DG4 – Residential Layout and Amenity

DG5 – Provision of Open Space and Children's Play Areas

DG6 – Vehicle Circulation and Car Parking in Residential Development

DG7 – Crime Prevention and Safety

Exeter Core Strategy (February 2012):

CP1 – Spatial Strategy

CP3 – Housing

CP4 – Density
CP5 – Mixed Housing
CP7 – Affordable Housing
CP9 – Transport
CP11 – Pollution
CP12 – Flood Risk
CP13 – Decentralised Energy Networks
CP15 – Sustainable Construction
CP16 – Green Infrastructure, Landscape and Biodiversity
CP17 – Design and Local Distinctiveness
CP18 – Infrastructure

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

W4 – Waste Prevention (*applies to planning applications for major development*)

W21 – Making Provision for Waste Management (*applies to major non-waste development*)

Other material considerations

Affordable Housing SPD
Sustainable Transport SPD
Planning Obligations SPD
Public Open Space SPD
Residential Design Guide SPD
Trees and Development SPD
First Homes Planning Policy Statement
Emerging Exeter Plan (Regulation 18)

12.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against

adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public sector equalities duty

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

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

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

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

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

14.0 Financial issues

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

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site. This proposal is CIL liable.

The rate at which CIL is charged for this development is £136.07 per sq. metre plus new index linking. Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued prior to the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development. Full details of current charges are on the Council's website.

The proposal will generate Council Tax.

15.0 Planning assessment

Prior to submission of this application the applicant engaged with the Council's pre-application service and sought the views of a Design Review Panel. This was relatively close to submission of the Reserved Matters, however discussions were held and revisions made to the plans in response to matters raised. Further revisions to the proposal were made in response to comments received during the application assessment.

Principle of Development

The principle of development of this site has been established through the appeal decision on associated Outline application 20/1380/OUT (APP/Y1110/W/21/3278148). This appeal decision secured the quantum of up to 80 dwellings and the sole vehicular access point from Redhills.

It is therefore not appropriate to re-visit the principle of development through this assessment, with this application dealing with the Reserved Matters of appearance, landscaping, layout and scale and associated considerations.

It should be noted that illustrative drawings were submitted at Outline stage, however these were not approved drawings and no development framework or masterplan was agreed at that stage. The illustrative plans therefore have no weight in assessing this scheme, with them only demonstrating a possible option that could be developed.

Outline Consent

The appeal approval was subject to a number of conditions, some of which required information to be submitted at the Reserved Matters stage. For clarity all of the conditions are set in the table below and their status in relation to this Reserved Matters application.

No.	Summary of details	Status
1	Details of appearance, landscaping, layout and scale to be submitted prior to development taking place.	These matters submitted as this application.
2	Application for approval of the reserved matters to be made not later than 3 years from the outline appeal decision.	Appeal decision made 07 February 2022. This application was made on 16 May 2024. This is within the 3 year period.
3	Development shall commence not later than 2 years from the approval of the last reserved matters.	Compliance condition for commencing on site following any approval of this application.
4	Development to be undertaken in accordance with approved plan 19.124/001 Rev C.	Compliance condition securing the vehicular access from Redhills and footpath connections in the Outline consent.
5	Prior to, or as part of the first Reserved Matters, an Ecological Mitigation and Enhancement Strategy shall be submitted.	Document submitted with this application.
6	Prior to, or as part of the first Reserved Matters, an Arboricultural Method Statement and Tree Protection Plan shall be submitted	Document submitted with this application.
7	Prior to, or as part of the first Reserved Matters, a site drainage scheme shall be submitted	Details submitted with this application.
8	The Reserved Matters shall show cycle parking, car/club spaces, covered electric bike hire space, location of EV charging points	Details submitted with this application.
9	Prior to commencement on site a Construction Environment Management Plan shall be submitted to and approved by the LPA.	Not required with this submission. Has been submitted separately as application 24/1186/DIS.
10	Prior to commencement on site a Landscape and Ecological Management Plan shall be submitted to and approved by the LPA.	Not required with this submission. Has been submitted separately as application 24/1186/DIS.
11	Prior to commencement on site a Construction Method Statement shall be submitted to and approved by the LPA.	Not required with this submission. Remains as a pre-commencement requirement.
12	Prior to commencement on site a Waste Audit Statement shall be submitted to and approved by the LPA.	Not required with this submission. Remains as a pre-commencement requirement.

No.	Summary of details	Status
13	Any previously unidentified contamination shall be reported and work suspended until assessment carried out.	Compliance condition. No action necessary unless unidentified contamination found.
14	Dwellings shall not be occupied until energy performance equivalent to ENE1 at level 4 of Code for Sustainable Homes have been demonstrated.	Not required with this submission. Remains as a pre-occupation requirement.
15	Dwellings shall not be occupied until a scheme of improvements to facilitate pedestrian use of Exwick Lane and between Exwick Lane and St Peter's Mount have been agreed and implemented.	Not required with this submission. Measures to improve Redhills have been secured through the Outline. Condition remains as a pre-occupation requirement.

The table above demonstrates that all required information has been submitted with this application for assessment. Whilst there are conditions that still need discharging or compliance they have later trigger points, such as pre-commencement or pre-occupation and will be dealt with through the condition discharge process.

Site Layout

In terms of overall density of the scheme, this has been set through the Outline consent with a maximum of 80 dwellings on site. However, this still needs to be considered through the overall site layout to ensure it is acceptable. There are three character areas within the proposed layout with the first mirroring the density and design of the neighbouring dwellings. The second character area is higher density, with a more linear street and the third character area is a looser density in response to the higher visibility of this area.

The site is relatively narrow, with a single vehicular access point onto Redhills. The furthest, eastern, area is the most visible, with the southern part of this being sloped and used for attenuation basins and public open space.

The central spine road is a logical design for this site, with some smaller side roads/private driveways leading off it.

The first character area aims to reflect the neighbouring dwellings on Redhills with spaced out detached dwellings, play park and attenuation basin.

The play park is situated in the north-west corner of the site, in an area closest to neighbouring dwellings, with a footpath through this area. This positioning is beneficial to prevent dominance and visual overcrowding of the Redhills highway which, due to its position on the edge of the city, has a more rural nature.

This is supported with the positioning of the attenuation basin on the south-western corner, by the vehicular entrance, limiting the urbanisation impact.

The dwellings are spread out through this area and will not create a significant change to visual appearance when viewed from Redhills due to the angle of the access and highway going through the site.

The second character area is more densely developed, with smaller semi-detached and terraced housing on the southern side of the highway and a private driveway to the north leading to semi-detached properties. There is a kink in the public highway and a dwelling is proposed fronting this, creating a suitable end vista. This character area continues with semi-detached and terraced dwellings on the north and south, ending with an apartment block before a landscaped gap which includes a footpath north to Exwick Lane and a smaller play area.

The third character area is less dense, with detached dwellings and villa style design on the more prominently visible areas. The highway ends in this section with a hammerhead and block of flats to create a clear visual ending. There is a footpath leading to the east onto the existing footpath to the rear of Cheltenham Close that connects Exwick Lane to St Peters Mount. This area is more visible from the surrounding area and it is an unavoidable aspect of the development. The use of a more formal layout creates a clear and organised residential area and limits the appearance of urban sprawl that would be created by a more dense approach.

To the south of the built form in this area is an attenuation basin, with a third play park, footpath, and a large area of public open space.

This approach was discussed at pre-application stage and suggested by the Council's Urban Designer to reflect the existing field structures and provide variation of built form through the development, as well as screening the more densely developed middle section from wider views. The applicant has responded positively to discussions regarding the development and made revisions to create a good quality environment for occupants.

Highways

The highway layout is considered acceptable by the Local Highway Authority. The access is already an approved detail and the proposed roads appear to meet the suitability for adoption by Devon County Council. Suitable parking and cycle storage is proposed for the dwellings.

There are proposed to be four pedestrian/cycle links into the site with the first being part of the approved access point on the eastern side of the site. The second is to the north-east of this at the junction of Redhills and Exwick Lane and will allow pedestrian access from dwellings on Barley Villas and other areas into the play area located in this part of the site. The third link is in the middle on the northern boundary leading onto Exwick Lane to allow non-stepped access through to this area. The fourth link is on the eastern edge onto the footpath linking St Peters Mount to Exwick Lane.

These links offer links from a variety of locations into the site and are welcomed to ensure permeability of the development. Concerns were raised from the Council's Urban Designer regarding the central connection point due to the steep topography that requires multiple switch-backs to be used. This part of the site is constraints by the steep slope and a retained tree adjacent to the central vehicle highway. Adjustments have been made to increase the areas of soft planting however it will still be an aspect dominated by the path. Whilst this is unfortunate, the benefits of a step-free access route to Exwick Lane outweigh the visual harm of the footpath, which will be primarily screened from view, and it is therefore acceptable.

The Exeter Civic Society raised concerns over the lack of access to an existing eastern footpath. The plans show a connecting into this existing route, however it is noted that there are steps at the northern end. It falls outside the red-line of this proposal and was not included as a planning obligation for the development and it would not be possible to secure improvements at this stage. A step-free access to Exwick Lane is proposed in the centre of the site and there is also a pre-occupation condition requirement for a southern connection 'facilitate pedestrian use of Redhill, including the provision of a footway between Exwick Lane and St Peter's Mount'. This

will provide acceptable links in line with the access strategy approved at Outline stage.

Building Design

In terms of height, it is proposed for a mix of 2-storey and 2.5 storey dwellings which is considered in keeping with the surrounding built form in this area of Redhills.

Due to the visible nature of parts of the eastern area revisions were made to the design of a number of these building to reduce the roof pitch and create an associated reduction in ridge height.

The proposed materials are a mix of brick and render, with detailing as required. The surrounding built form has a wide range of materials and an evolving material design was agreed through the character areas. The western area, closest to Barley Villas, reflects the surrounding built form, with it changing as it moves through the denser second and through to the 'villa' style third character area

A condition is recommended for the final details of the external materials to ensure they are of appropriate quality and colouring.

Bin and cycle stores are proposed and in order to ensure suitable design a condition is recommended for details to be provided prior to installation.

Amenity

Occupant Amenity

All dwellings are required to meet the Nationally Described Space Standards and the proposed dwellings all meet or exceed these requirements as set out in the following table:

House	NDSS	Proposed
Cornwood (2-storey, 2-bed)	70sqm	72.5sqm
Hartwood (2-storey, 2-bed)	70sqm	80.5sqm
Lingwood (3-storey, 2-bed)	Not shown, but can be calculated at approx. 76sqm	80sqm
Scotswood (2-storey, 2-bed)	79sqm	91.5sqm
MAT (2-storey, 2-bed)	79sqm	91.5sqm
Chelford (2-storey, 3-bed)	84sqm	105sqm
Fairford (2-storey, 4-bed)	106sqm	113sqm
Rensford (2-storey, 4-bed)	106sqm	127sqm
Tildford (2-storey, 4-bed)	124sqm	146sqm

House	NDSS	Proposed
Langworth (3-storey, 5-bed)	134sqm	164sqm
Polesworth (3-storey, 5-bed)	134sqm	181.5sqm
Avington (2-storey, 2-bed)	70sqm	70sqm
Charnwood (2-storey, 3-bed)	84sqm	86sqm
Canford (2-storey, 4-bed)	97sqm	98sqm
Apartment (1-bed)	50sqm	52sqm
Apartment (2-bed)	61sqm	61.2sqm

The positioning of the dwellings and windows means there is not considered to be any significant loss of light or privacy impacts on occupants from dwellings within or outside of the site.

The Residential Design Guide SPD sets recommended garden sizes for developments. A Garden Schedule was provided by the applicant and it is noted that a small number of properties do not meet the requirements. This is due to the need to increase the buffer zones for the woodland area to protect biodiversity features. Taking this into account, and with the majority meeting the requirements, it is not considered to be a strong enough reason for refusal on occupant amenity impacts.

The Council's Environmental Health team requested that a noise impact assessment be submitted in relation to impacts from the adjacent car breaker site to the south. This was considered at Outline stage and the Inspector stated in their appeal that the breakers yard had closed and was coming forward for housing and that noise impact assessments were therefore not necessary. Nothing has changed from this position and therefore it would not be reasonable to require a noise impact assessment for this Reserved Matters application.

Overall, the development is considered to provide a good level of occupant amenity in accordance with policy requirements.

Neighbour amenity

To the west and north-west of the site are dwellings on Redhills. The layout has positioned the play area in the north-west corner of site with the closest dwelling to Barley Villas being 27 metres distance, set behind hedgerow.

To the north of this corner area is 'The Cottage' which is screened from the play area and public open space by hedgerow and tree planting on the Exwick Lane boundary. Adjacent to this is 'The Haven Orchard' which is in a closer position at 11.75 metres (at the closest point), positioned across Exwick Lane. Whilst this is in closer proximity it is set down from the site and is currently screened by existing hedgerow on its boundary. Whilst the new development will see dwellings with habitable windows facing north towards this property the raised position, combined with screening from

hedgerow on both sides of Exwick Lane, means that the level of overlooking or other amenity impacts will not be significant.

To the east is a public footpath and the rear of dwellings on Cheltenham Close. The closest dwelling is 39 metres distant and there is a high level of tree and hedgerow planting along the public footpath. The apartment block is the closest element and whilst there is the potential for impacts it is a two-storey block and it is considered that the planting, existing fencing and distance will prevent any significant amenity impacts occurring.

To the south is St Peters Mount. The majority of dwellings on that street are separated from the site by existing woodland that sits outside the application site boundary. The south-eastern corner of the site sits closer, however this part of the development site is public open space and attenuation basins. As such it is not considered that there will be any significant impacts generated to dwellings.

There is an existing footpath running along the eastern boundary of the site and this will see an increase in movement. This is an established route and due to its stepped access is unlikely to be used by all occupants of the new development. It is not considered that the increased footpath usage would create any unacceptable impact on the amenity of surrounding dwellings.

Public Space

The Unilateral Undertaking (UU) on the Outline permission required a minimum of 10% of the area of development to be Open Space. This has been met by this proposal.

The UU also required three play areas and it is proposed to provide a Locally Equipped Area of Play in the north-west corner and a Local Area of Play between character areas 2 and 3. A third area will be created in the eastern area, to the east of the attenuation basin, adjacent to a viewing platform. The details of the playparks are required prior to commencement as part of the UU legal document.

The open space is split across the site, with the LEAP and an area of public space on the eastern side, small areas of public space between character areas 1 and 2 and a larger public space and the LEAP between character areas 2 and 3. There is also a large public open space area to the south of character area 3, with a footpath and planting through it.

This open space in the south-east corner forms part of the more visible aspects of the site and the use of this for open space is of a benefit in limiting the visual intrusion into this prominent hillside location.

Highway Considerations

As stated in the section above, the overall highway layout is considered acceptable and that the access point was previously agreed at Outline stage.

There is a pre-occupation condition requirement for 'a scheme of improvements designed to facilitate pedestrian use of Redhill, including the provision of a footway between Exwick Lane and St Peter's Mount'. Details of this have not been submitted to the Council yet, however the applicant is aware of this requirement. As such, this matter will not be discussed in this report.

Suitable vehicle and cycle parking has been provided for dwellings in line with the Residential Design Guide SPD.

Biodiversity

The Outline decision required an updated Ecological Mitigation and Enhancement Strategy (EMES) informed by the Ecological Impact Assessment considered at the earlier stage.

Following revisions to the site layout and EMES it was confirmed by the Council's ecologist that there was no objection to the scheme on ecological grounds.

The Outline permission was granted prior to the introduction of the mandatory 10% Biodiversity Net Gain and therefore this Reserved Matters application is not required to reach that level. However it is still required to ensure a net gain in line with national policy requirements, which has been achieved.

The original proposal saw concerns raised relating to bat species and the buffer zone between the woodland to the south and the new dwellings. Following discussions it was agreed to increase the buffer zone and provide suitable mitigation for the bat species.

To ensure further mitigation for harm to bats a condition for a lighting strategy is recommended to ensure the impacts from artificial lighting will be limited.

Objections were initially raised by the Council's Tree Manager in relation to removal of part of a hedgerow and root protection areas. Further clarification was submitted and the proposed buffer zone will benefit the root protection areas for retained trees and hedges.

There are existing conditions in relation to an Arboricultural Method Statement, Tree Protection Plan, Landscape Ecological Management Plan and the Ecological

Mitigation and Enhancement Strategy on the Outline approval. These conditions required submission of these details and for the development to be in accordance with the approved document(s). It is therefore not necessary to place conditions relating to them on any Reserved Matters decision approval.

The site is within the zone of influence of the Exe Estuary Special Protection Area. The Outline application undertook an Appropriate Assessment and confirmed that there would be recreational impacts. This was secured at the Outline stage and is therefore not required at Reserved Matters.

Drainage

Drainage for the development is proposed through one attenuation tank and three attenuation basins that connect into the existing South West Water public sewer.

Following clarification of technical details and approvals the Lead Local Flood Authority raised no objections to the proposal.

It was demonstrated that infiltration was not suitable for the site and that South West agreements are in place for restricted flow rates into the existing sewer system. Exceedance flow routes were also demonstrated and found to be acceptable.

The Lead Local Flood Authority requested a condition requiring details of adoption and maintenance of the surface water drainage system through its lifetime, as well as how surface water and silt run-off will be managed during construction.

Surface water and silt run-off will be dealt with through the existing conditions on the Outline approval requiring a Construction Environment Management Plan and a Construction Management Plan. A condition for adoption and maintenance has been added to the recommended condition list at the end of this report.

Construction Impacts

The Outline approval includes conditions requiring submission a Construction Environment Management Plan and Construction Management Plan. These will help mitigate the level impact on neighbouring dwellings during the construction in line with other developments in the city. As they are stated on the Outline approval it is not necessary to state them on any Reserved Matters approval.

Energy and Low Carbon

The Outline approval has a condition requiring the development meets level 4 of the Code for Sustainable Homes. This has now been superseded by Building

Regulations and suitable sustainable will continue to be required for the development.

A pre-commencement condition for a Waste Audit Statement is also on the Outline approval to reduce waste during the construction phase. As this is already a requirement it is not necessary to place any additional requirement on the Reserved Matters.

Planning Obligations

The Outline permission secured additional improvements through a Unilateral Undertaking which includes the following aspects:

- £75,000 contribution for improvements to the footway connecting Exwick Lane to Gloucester Road
- £50,000 contribution towards a neighbourhood equipped area of play at Cemetery Field Play Area and/or in the vicinity of the development.
- £512 per dwelling towards additional floor space at St Thomas' Health Centre and Foxhayes Surgery.
- £84,079 towards NHS gap funding.
- £500 per dwelling contribution towards travel planning to promote or facilitate journeys other than by private car.
- £284,700 towards new secondary school education places in South West Exeter.
- 35% of dwellings to be Affordable Housing.

These aspects remain as obligations of this development. Due to this being a Reserved Matters application it is not possible to revise these obligations at this stage.

16.0 Conclusion

The principle of residential development and the access point have been allowed through the appeal decision relating to application 20/1380/OUT. The applicant has worked proactively with the Council through a pre-application and the reserved matter planning process to create a scheme with distinct character areas and a good level of accommodation and amenity for residents. The location of the site makes the development visible from the wider area, however the design third character area has been designed to limit height where possible, provide 'villa' style dwellings to prevent the appearance of urban sprawl and introduced landscaping that will, over time, screen and soften the views.

The proposal is therefore considered to be acceptable subject to the conditions set out at the end of this report.

17.0 Recommendation

Grant permission subject to the following conditions:

Condition: Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

- P23-1581_23G-Materials Plan
- P23-1581_22G-Affordable Housing
- P23-1581_19G-Parking Strategy
- P23-1581_18G-Refuse Strategy
- P23-1581_17G-External Works
- P23-1581_14T-Site Layout
- 318 2501PL10 Drainage Layout - Sheet 1
- 318 2502PL09 Drainage Layout - Sheet 2
- 318 2401PL08 External Levels Plan - Sheet 1
- 318 2402PL08 External Levels Plan - Sheet 2
- 318 2107PL05 Highway Layout - Sheet 1
- 318 2108PL05 Highway Layout - Sheet 2
- 318 2109 PL05 Section 38 Plan
- SD-DET-001.25 - 25 degree boxed eave detail
- P23-1581_DE_15C – House Type Pack
- 318 2506PL02 Attenuation Catchment Plan
- 318 2501PL08 Drainage Layout - Sheet 1
- 318 2502PL07 Drainage Layout - Sheet 2
- 318 2503PL02 Impermeable Areas Plan
- 318 2506PL01 Attenuation Catchment Plan
- SPP3341 91 008 Rev B Hard Landscape Plan
- 318 2201PL01 Highway Long Sections
- 318 2251PL01 Highway Cross Sections
- 318 2302PL01 Highway Construction Details
- 318 2801PL01 SWW Standard Precast Manhole Details - Sheet 1

- 318 2802PL01 SWW Standard Precast Manhole Details - Sheet 2
- 318 2803PL01 SWW Miscellaneous Drainage Details
- 318 2804PL01 Access and Inspection Chamber Details - Sheet 1
- 318 2805PL01 Access and Inspection Chamber Details - Sheet 2
- 318 2806PL01 Drainage Near Foundations
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Reason: In order to ensure compliance with the approved drawings.

Condition: Highway Access

Pre-commencement

No part of the development hereby approved shall be commenced until:

- a) The access road has been laid out, kerbed, drained and constructed up to base course level for the first 15 metres back from its junction with the public highway
- b) The ironwork has been set to base course level and the visibility splays required by this permission laid out
- c) A site compound and car park have been constructed.

Reason: To ensure that adequate on site facilities are available for all traffic attracted to the site during the construction period, in the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining residents.

Condition: Highway Delivery 1

Pre-Construction

The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car 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.

Condition: Materials

Pre-above ground works

Prior to works above foundation levels details of the external materials set out on approved drawing P23-1581_23G-Materials Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include datasheets, samples or photos in situ of the proposed materials. The development shall be undertaken in accordance with the approved details.

Reason: To ensure suitable materials are proposed in the interest of good design and visual amenity.

Drainage Adoption

Pre-use

Prior to first use of the surface water management system details of adoption and maintenance arrangements for the system shall be submitted to, and approved in writing by, the Local Planning Authority.

The permanent surface water drainage management system shall be maintained in accordance with the approved details.

Reason: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development.

Boundary Treatments, bin stores, cycle stores

Pre-Occupation

Prior to first occupation of each relevant dwelling details of boundary treatments, bin store and cycle stores shall be submitted to and approved in writing by the Local Planning Authority.

These aspects shall be made available for use prior to first occupation of each property and retained at all times thereafter.

Reason: To ensure suitable design and materials.

Condition: Highway Delivery 2

Pre-Occupation

The occupation of any dwelling in an agreed phase of the development shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:

- a) The spine road and cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
- b) The spine road and cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
- c) The cul-de-sac visibility splays have been laid out to their final level;
- d) The street lighting for the spine road and cul-de-sac and footpaths has been erected and is operational;
- e) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
- f) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
- g) The street nameplates for the spine road and cul-de-sac have been provided and erected.

Once constructed and provided in accordance with condition 4 above, the carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians and the street lighting and nameplates maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure that adequate access and associated facilities are available for the traffic attracted to the site

Condition: Highway Delivery 3

Within 12 Months of Occupation

Within twelve months of the first occupation of the first dwelling in an agreed phase of the development, all roads, footways, footpaths, drainage, statutory undertakers' mains and apparatus, junction, access, retaining wall and visibility splay works shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the access arrangements are completed within a reasonable time in the interests of safety and the amenity of residents.

Surface Water Drainage System

Pre-occupation

The surface water drainage management system hereby approved shall be installed and brought into first use prior to first occupation of any dwelling in accordance with the approved drawings and the following details:

- MG/318 Dated 16 October 2024
- MG/318 Dated 15 August 2024

Reason: To ensure that the development's permanent surface water drainage management systems are suitable and fully operational prior to occupation.

Condition: Removal of Permitted Development Rights

Notwithstanding the provisions of Article 3 and Classes A, B and C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, including insertion of new window openings or alterations to the roof, shall be constructed to the dwelling hereby approved.

Reason: In order to protect the privacy of neighbouring dwellings and ensure any alterations do not generate visual harm to the surrounding area.

Condition: Substation Location

The electrical substation serving the development shall be located within the area identified on approved drawing Proposed Sub-station Local Plan RED.SUB.0001.01.

Reason: To ensure a suitable location and to limit visual impacts.

Condition: Tree Establishing

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

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

Condition: External Lighting

No external lighting shall be installed on the site unless details of the lighting have previously been submitted to and approved in writing by the Local Planning Authority (including location, type and specification). The details shall demonstrate how the lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation if necessary). The lighting shall be installed in accordance with the approved details.

Reason: To ensure lighting is well designed to protect the amenities of the area and wildlife.

INFORMATIVES

Informative: Negotiated Approval

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.

Informative: CIL

The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Accordingly your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website.

It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (ie 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.