

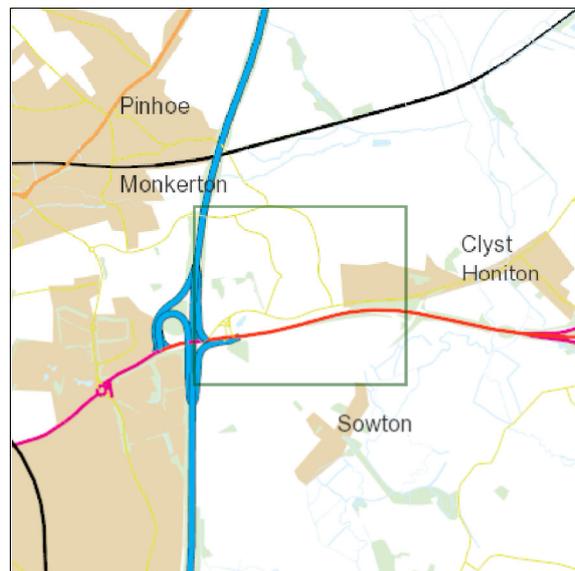
Ward Broadclyst

Reference 18/2797/MOUT

Applicant Eagle One MMill Ltd

Location Land North And South Of Anning Road Exeter Science Park Clyst Honiton

Proposal Development of 15,329sqm floorspace for Class B1b (Research and Development) uses with ancillary Class B1a and B1c uses and Science Park wide ancillary supporting uses (Retail - convenience (Class A1), cafe/restaurant (Class A3), creche (Class D1) and conference and health/fitness facilities (Class D2)) together with associated infrastructure and works to form part of the Exeter Science Park (all matters reserved) on land north and south of Anning Road, Exeter Science Park, Clyst Honiton.



RECOMMENDATION: Approval with conditions and subject to the completion of legal agreements



		Committee Date:30th April 2019
Broadclyst (BROADCLYST)	18/2797/MOUT	Target Date: 11.05.2019
Applicant:	Eagle One MMill Ltd	
Location:	Land North And South Of Anning Road	
Proposal:	Development of 15,329sqm floorspace for Class B1b (Research and Development) uses with ancillary Class B1a and B1c uses and Science Park wide ancillary supporting uses (Retail - convenience (Class A1), cafe/restaurant (Class A3), creche (Class D1) and conference and health/fitness facilities (Class D2)) together with associated infrastructure and works to form part of the Exeter Science Park (all matters reserved) on land north and south of Anning Road, Exeter Science Park, Clyst Honiton.	

RECOMMENDATION: Approval with conditions and subject to the completion of legal agreements

EXECUTIVE SUMMARY

The two outline planning applications 18/2797/MOUT and 18/2799/MOUT on this agenda are linked as part of the proposed land use swap on part of the Science Park and on land immediately adjacent to the Science Park, forming part of the mixed use development known as Redhayes. The site for the proposed residential development (18/2799/MOUT) currently forms part of the allocated Science Park, a major strategic employment site, and has an extant outline planning permission for this science park use. The land proposed for the relocation of part of the Science Park is undeveloped but has an extant outline planning permission for offices as part of the wider Redhayes development.

Both planning applications are departures from the development plan as the site for the residential development is outside of any Built-up Area Boundary and is allocated for Science Park use in the Local Plan. The site for the partial relocation of the Science Park is not allocated for Science Park uses but is allocated for the mixed use Redhayes Development. Both planning applications are considered to be Environmental Impact Assessment developments and are accompanied by an Environmental Statement. Both sites are owned by the applicant.

It is a requirement of planning law that planning decisions are determined in accordance with the Development Plan unless material planning considerations

indicate otherwise. These planning applications are contrary to the Development Plan and therefore support should only be forthcoming if there are material planning considerations that would weigh in favour of approvals being given by the decision takers.

In this case, there are clear material considerations that within the balance of relevant issues, have led to a recommendation of approval for both applications:

1) There is no overall loss of science park floorspace as the area consented on the proposed residential site is to be relocated to a site next to the science park centre. This is a good location being well related to the core of the science park and is a visible location.

2) The residential development is located between the science park and the Redhayes development which together with the Mosshayne development forms a large mixed use scheme comprising about 1500 houses, a local centre, primary school, playing fields and other related infrastructure and facilities. Although defined as countryside, the locality is undergoing rapid and far reaching urbanisation as part of the growth area of East Devon and with GESP, is possibly going to continue. The proposed residential site could therefore form an extension of the Redhayes/Mosshayne development and be largely surrounded by consented development in the future. The impact of an additional 150 houses would not be significant as it would be about a tenth of the already consent development at Redhayes/Mosshayne.

3) The site is located close to the border with Exeter and has good cycle/pedestrian and bus routes. Mixed uses are proposed for the locality including employment, leisure, shopping, school and community facilities which would reduce the demand to travel to other areas. This overall development will in time be sustainable and reduce the need for residents to travel by private car.

4) The proposed land use swap will help with the deliverability of the science park giving more control to the science park.

Overall, there are clear benefits with these planning applications which facilitate the land use swap. It is considered that within the balance of planning considerations, the weight falls in favour of permitting the development proposals rather than the rigid application of policy. However, it is for the decision makers to decide the balance of planning considerations but it is the view that there are justifiable and material planning considerations that would weigh in favour of the proposals.

Both applications are linked and neither application is acceptable by itself. In particular, the residential proposal should not be allowed to proceed or commence without the science park relocation also proceeding, as this would result in the loss of science park land and unjustified housing on the allocated science park. The draft legal agreements aim to ensure this is the case.

The proposed developments are the subject of Environmental Impact Assessment. An Environmental Statement covering both developments has been

submitted which deals with the environmental issues arising from the proposals. These issues have been considered in the report and appropriate mitigation where necessary is to be secured through conditions/S106. The housing element will have some impact on the East Devon Pebblebed Heaths SAC/SPA and the Exe Estuary SPA/Ramsar sites and accordingly an Appropriate Assessment has been completed. Natural England have confirmed that the mitigation contained in the Appropriate Assessment is acceptable to mitigate the likely significant effects of the housing development on the interest features of these European sites. This is through CIL with additional contributions for non-infrastructure mitigation through the S106. The report therefore also includes a recommendation on application 18/2799/MOUT to adopt the Appropriate Assessment.

Before the applications were submitted, the council undertook an interim Masterplan which was endorsed by the Strategic Planning Committee, to guide the preparation of these applications to ensure key design elements are incorporated to help integrate the developments into the wider development. The applications are considered to be consistent with this interim Masterplan. It is expected that should the proposed land use swap proceed, a wider Masterplan covering the whole Science Park will be needed.

The other planning issues are addressed in the reports for both planning applications, including the level of affordable housing and viability, together with S106 issues.

On balance, the proposed developments taken together have a number of material benefits for the improved delivery prospects for the science park. Whilst both applications are contrary to policy, they would not cause a material harm being part of the much wider development and growth area in this part of the district and being sustainable. It is therefore the view that there are material planning considerations that would weigh in favour of approving these two planning applications.

CONSULTATIONS

Local Consultations

Parish/Town Council – Broadclyst

Council supports this application and would like to add the following points:

- i. That the car park offers a sustainable ratio of charging points;
- ii. That consideration be given to utilising photovoltaic technology as covers over the parking bays to provide a sustainable energy source.
- iii. That there is provision and servicing of litter bins in the car parks, with an off-site contribution to the provision of litter and dog waste bins provision along access routes.

Clerk to adjoining Clyst Honiton Parish Council

Comment: Council supports this application and would like to add the following points:

That the car park offers a sustainable ratio of charging points;
That consideration be given to utilising photovoltaic technology as covers over the parking bays to provide a sustainable energy source.
That there is provision and servicing of litter bins in the car parks, with an off-site contribution to the provision of litter and dog waste bins provision along access routes.

Clerk to Bishops Clyst/Sowton (Clyst St Mary) Parish Council

The council would support any decision made by our neighbouring council in respect of this application

Technical Consultations

WW Utilities

Summary:

WWU must be consulted prior to carrying out any excavation work within 10m of any above or below ground gas installations or pipeline. No excavation works may commence within 50m of a High Pressure or Very High Pressure Pipeline unless the pipeline has been located by tracing and its precise route identified.

In addition to the above methods of working, WWU must be contacted prior to any External Wall Installation (EWI) schemes, proposed solar farms and wind turbine installations.

No work shall be undertaken near, nor heavy plant or equipment moved over, any gas pipeline or apparatus until all of the conditions specified by WWU have been complied with.

Where WWU have apparatus in the vicinity of your work, any damage to it could have serious consequences. In view of this and in the interests of safety, a meeting should be arranged before the commencement of work on site between WWU representatives, representatives of the promoting authority, the contractors and any other interested parties. At this meeting the suggested program of site works and plant safety should be discussed. It is essential that this meeting is convened well in advance of commencement on site. Access to WWU plant and facilities for inspection by WWU staff must not be affected. Where formal consent has been given, A MINIMUM OF SEVEN DAYS NOTICE IS REQUIRED before carrying out work in WWU easements, or the appropriate notice under the New Roads & Street Works Act (NRSWA) where existing plant is situated within the public highway.

DCC Flood Risk SuDS Consultation

Observations:

It is understood that this application forms part of a wider land swap within the area. The East Devon case officer has confirmed that this forms a new application with new proposals therefore the climate change allowance and Qbar rate should be revised. We would require 40% for commercial development in line with our DCC SuDS Guidance (2017).

The applicant should submit revised attenuation calculations in light of the above.

The applicant should confirm how long term storage will be incorporated within the surface water design.

The applicant will also be required to submit MicroDrainage model outputs, or similar, in order to demonstrate that all components of the proposed surface water drainage system have been designed to the 1 in 100 year (+40% allowance for climate change) rainfall event.

The applicant should confirm that DCC Highways are still content with the principle of discharging surface water from this development into their network.

Exeter Airport have advised that the proposed SuDS should be designed in such a way that they are unattractive to birds, offering no food source or nesting habitats. However, this does not prevent above-ground SuDS components being incorporated into the proposed surface water drainage management system; well-designed and easily maintainable components such as permeable paving (which could be under drained), as well as swales and filter strips with short vegetation, must still be explored.

Recommendation:

At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan (2013-2031). The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Additional comments received 9th April 2019:

Observations

Following my previous consultation response FRM/ED/2797/2018, dated 23/01/2019, the applicant has submitted additional information in relation to the surface water drainage aspects of the above planning application, for which I am grateful.

The applicant has provided an updated Flood Risk & Drainage Assessment dated November 2018 which answers queries raised in my previous response. The calculations have an allowance for 40% for climate change, the attenuation will be facilitated in above ground basins and agreements have been sought with DCC highways concerning connecting into Tithebarn Link Road and Old Honiton Road.

The applicant has provided for long term storage requirements as well as producing an outline maintenance plan for the proposed surface water drainage network.

Recommendation:

Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage, assuming that the following pre-commencement planning conditions are imposed on any approved permission:

No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has

been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Flood Risk & Drainage Assessment for the Proposed Commercial Development at Land North & South of Anning Drive, Exeter, dated November 2018."

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

Reason for being a pre-commencement condition: A detailed permanent surface water drainage management plan is required prior to commencement of any works to demonstrate that the plan fits within the site layout, manages surface water safely and does not increase flood risk downstream.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

Reason for being a pre-commencement condition: A plan needs to be demonstrated prior to the commencement of any works to ensure that surface water can be managed suitably without increasing flood risk downstream, negatively affecting water quality downstream or negatively impacting on surrounding areas and infrastructure.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

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

Reason for being a pre-commencement condition: These details need to be submitted prior to commencement of any works to ensure that suitable plans are in place for the maintenance of the permanent surface water drainage management plan, for the reason above.

South West Water

I refer to the above application and would advise that South West Water has no objection subject to foul flows only being connected to the public sewer network.

The suggestion is that surface water will be connected to the highway drainage network although no plans appear to have been submitted to demonstrate how this is to be achieved or that the agreement of the Highway Authority has been obtained -

this should be provided as there are no dedicated public surface water sewers available should an alternative means of surface water drainage be required.

Further comments rec'd 22.1.19:

We now have no concerns comments on the basis surface water will be discharged to a Devon County Council owned highway drainage system.

Environmental Health

I have considered the application for B1 and research use and the submitted ES prepared by Collier Planning dated December 2018. The report concludes that although aircraft noise will be audible at times the buildings will be designed and acoustically protected in such a way that internal spaces will not be adversely affected. We concur with this conclusion and it will be the responsibility of the developer to deliver this in order to ensure that the buildings are suitable to market.

No details of lighting have been submitted to date so this may need to be required by condition.

In due course a CEMP will be required to be submitted and agreed, but this can be required by condition.

The Air quality report concludes no unacceptable impact either of the existing environment on future occupiers, or of future uses on the prevailing air quality.

I therefore do not have any outstanding concerns regarding this application.

Contaminated Land Officer

I have considered the application and the geotechnical report submitted by Geoconsulting and dated summer 2015. The Stage 1 and intrusive survey reports conclude that there are not anticipated to be any contaminants of concern on this former agricultural land. I recommend that the applicant consults the contaminated land officer should any unforeseen contaminants be encountered during oversite works.

Exeter & Devon Airport - Airfield Operations and Safeguarding

Further to the airports previous response and conditional objection and because of the recent developments in this area a further technical safeguarding opinion has been received showing that there is a potential risk to certain Navigational Aids (NAVAIDS) which could have a detrimental impact on aircraft operations and aviation safety.

There is a limited risk to the 08 glide and 08 localiser NAVAIDS as both will illuminate the site. Because of the recent consumption of the airports Instrument Landing System (ILS) static disturbance budgets by the recent developments we would request that modelling by a suitably qualified organisation such as NATS or Cyrrus be carried out to confirm the extent of any further disturbance if any.

Accordingly, Exeter Airport object to the proposal on the grounds of aviation safety.

This proposal has been examined from an Aerodrome Safeguarding aspect and the plans have the potential to conflict with safeguarding criteria.

In brief Aerodrome Safeguarding is a process of checking proposed developments so as to:

- 1 Protect blocks of air through which aircraft fly, by preventing penetration of surfaces created to identify their lower limits.
- 2 Protect the integrity of radar and other electronic aids to air navigation, by preventing reflections and diffraction of the radio signals involved.
- 3 Protect visual aids, such as Approach and Runway lighting, by preventing them from being obscured, or preventing the installation of other lights which could be confused for them. In brief lighting for the site should be designed in such a way that it is not confusing or dazzling to pilots or air traffic control. Generally all lights should be directed away from approaching aircraft and the air traffic control tower with no light spill above the horizontal.
- 4 Avoid any increase in the risk to aircraft of a bird strike by preventing an increase in hazardous bird species in the vicinity of the aerodrome and, whenever the opportunity arises, to reduce the level of risk.

The drainage attenuation proposals state that there is no detailed design for volumes and it is proposed that ponds will be permanently wet. These ponds could become a bird attractant and increase the risk of bird strike to aircraft. Aircraft in this location, 2.5km to the west and just north of the extended centreline of Exeter airports runway, are in a critical phase of flight either arriving or departing and a bird strike could be catastrophic. If the proposals for the Sustainable Urban Drainage System (SUDS) are delivered at a 1/100 year storm, 14 days to drain, annual storm 1-4 days, then mitigation (bird exclusion) measures will not be required. However, any SUDS will require monitoring to ensure that water does not persist beyond these projections and if it does, engineered drainage solutions or bird exclusion systems should be implemented. Permanent water bodies should be avoided due to the bird attraction risk.

Detailed planting proposals would need to be supplied and take into account not only the attractiveness to birds by not including any fruit or berry bearing species that could become a food and foraging source but also the type and heights of any tree planting proposed on the site. There are several critical obstacle limitation surfaces that pass over the site that are in place to protect aircraft on approach and on departure and these must not be penetrated at any time either now or in the future by growing trees. Crane use during any construction will also be limited to the heights of these obstacle limitation surfaces, and the developer must consult with the airport regarding crane use by following the airports tall equipment permit scheme.

Due to the location lighting must not present a danger to pilots by being confusing or dazzling. All lighting must be flat glass, full cut off with no light spill above the horizontal.

In terms of the Air Navigation Order, it is an offence to endanger an aircraft or its occupants by any means. In view of this I have included, as attachments, some safeguarding notes which all developers and contractors must abide by during construction and commissioning.

These include: Airport Operators Association Advice notes:
Lighting near Aerodromes.
Wildlife Hazards around Aerodromes
Cranes and other Construction Issues.

Accordingly, Exeter Airport object to this development unless all safeguarding criteria are met, as stipulated in the AOA Advice notes, the guidance regarding SUDS, bird attractants, cranes and lighting are followed and there are no changes made to the current application.

Further comments:

This proposal has been examined from an Aerodrome Safeguarding aspect with the following findings.

The technical assessment proves that there is no impact on any of the navigational aids at Exeter airport and therefore acceptable from a technical safeguarding perspective.

Providing that the following guidance is adhered to then there will be no conflicts with physical safeguarding criteria.

Due to the location of the site in relation to the airport and the potential for the increase in the risk to aircraft of bird strike, the landscaping and SuDs plans should include measures to be as unattractive to birds as possible.

Trees with dense canopies, such as Oak (*Quercus* sp.) and Scots Pine (*Pinus Sylvestris*), must generally be excluded from the planting schemes. If introduced, dense canopied trees must be reduced through use of processes and good practice that will maintain light, open tree canopies throughout the future life of the site as determined by their location, and a fair balance between long term design aims and mitigation of elevated wildlife hazard risks for Exeter Airport. Large quantities of fruit and berry bearing species must be avoided to minimise the attractant for birds that might use this as a food source. However, such species provide an important resource for wildlife and, in places, are essential to the integrity of the proposed planting scheme; low numbers of berry bearing plants may therefore be planted provided that they are dispersed amongst other non-berry species to reduce the total food supply for birds.

Opportunities for staging, nesting and roosting by birds must be minimised on all types of SuDs using good design features that minimise the presence of open standing water.

Lighting must not present a danger to pilots by being confusing or dazzling. All lighting must be flat glass, full cut off with no light spill above the horizontal.

Crane use during any construction will be limited to the heights of the airports obstacle limitation surfaces that pass over the site at approx. 63m AMSL. The developer must consult with the airport regarding crane use by following the airports tall equipment permit scheme.

Accordingly, Exeter Airport will have no safeguarding objections to this development provided that all safeguarding criteria are met and the guidance followed as highlighted above.

Kindly note that this reply does not automatically allow further developments in this area without prior consultation with Exeter Airport.

EDDC Landscape Architect

Comments on LVIA

Change to visual receptors

The LVIA does not provide a theoretical Zone of Visual Influence (ZVI) study. Given the significant increase in building height proposed on the Science Park land, an updated ZVI should be included with the assessment.

The visual boundary and viewpoints plan, Appendix 7.1 is misleading in that visual boundaries extend some distance beyond the area shown on the map base, as acknowledged elsewhere in the LVIA, for example in relation to Ashclyst Forest and Woodbury Fort. Additionally the plotting of the ridgeline along Blackhorse Lane is inaccurate as the actual ridgeline as indicated on OS mapping lies some 40-100m to the south, well within the site boundaries. An updated plan should be provided if necessary at different scales in order to capture the full visual envelop and provide greater detail nearer to the site.

The assessment fails to consider views to the sites from south of the A30 despite there being clear views of the existing Science Park buildings from a number of locations in this vicinity including Bishop's Court Lane south of Drymond's Farm and Sowton footpath 1. The assessment should be extended accordingly.

However, the LVIA conclusion in respect of Science Park land that the visual significance will be minor adverse is disputed. It is considered that the increase in build height from 12 to 15 m on the site ridge line will considerably increase the prominence of the development within the surrounding area and therefore the visual sensitivity will be moderate adverse over the previous scheme proposals.

Mitigation

Proposed mitigation in respect of adverse visual impact for the Science Park is stated (para 7.5.4) as comprising good design, high quality architectural detailing and provision of a new landscape setting along the ridge at Blackhorse Lane.

Additionally para. 7.7.2 states that for Science Park Land 'it is important that the reserved matters landscape application shows the planting as being mainly composed of tall growing forest trees'. This statement does not account for typical Exeter Airport policy in respect of restrictions to new planting schemes in proximity to the airfield, which limits new tree planting to species under 20m high. If large tree planting is intended to be a primary means of mitigation then clarification should be sought from Exeter Airport that such planting in the proposed locations would be acceptable.

Comments on Science Park Design & Access Statement

The statement that the LVIA concludes that the proposals will have a minor to moderate beneficial effect is wrong. The LVIA concludes that for the Science Park land the landscape effect will be neutral and the visual effect will be minor to

moderate beneficial. However the assessment of the Science Park visual effect is disputed for the reasons given above.

Design Proposals

The plan fails to show the key cycle link connecting between the park & change site and science park centre as per the approved framework plan. It also fails to show north south cycle links to Blackhorse Lane and Tithebarn Lane.

Where pedestrian links are shown through building courts confirmation should be provided that these will be accessible at all times.

The parking layouts impinge on the buffer landscape areas on the boundary to Blackhorse Lane to the north and the old A30 Honiton Road to the south. A minimum 10m wide landscape buffer should be provided to these boundaries. The Blackhorse Lane boundary is of particular importance given its prominence and the stated aim in the LVIA to provide 'a substantial area of new planting along the boundary with Blackhorse Lane' as part of the primary mitigation strategy.

Layout: The proposed layout appears to be dominated by carparks. Details of the basis for calculating parking provision should be provided together with details of the provisions that will be made to encourage use of alternative modes of transport to individual car use, especially car share, public transport, cycling and walking.

Scale and massing: The scale and massing plan indicates the use of 15m high buildings across the entire Science Park site regardless of topography and surrounding buildings. On the higher (northern) area of the site in particular building heights should be limited to 12m to reduce visual impact.

Landscape and green infrastructure strategy

The landscape buffer strips indicated on the landscape and green infrastructure parameter plan to the north, northeast and southern site boundaries are inadequate and do not reflect the indicative site layout. The plan should be amended to indicate minimum widths to proposed buffer strip areas along the site boundaries and other key landscape areas such as on the corner of Anning Drive and Tithebarn Link Road. It should also include a brief outline of the type of planting proposed.

Outline drainage details should be provided based on SuDS principles with overland flow routes provided as a primary aim.

Movement and Access - The Access and Movement Diagram Access Plan is similarly basic and does not show the provision of cycle routes within the site and links to adjoining infrastructure beyond as per the approved framework plan.

Further comments:

The LVIA has been amended in line with my previous comments and is broadly acceptable.

Design and Access Statement – Science Park

Site opportunities and constraints plan

The link between the Park & Change site and Science Park Centre should be shown as a pedestrian/ cycle route.

Landscape and GI parameters plan

Landscape buffer strips to the north and south of the site have been widened to minimum 10m width. The buffer strip to the eastern boundary with Tithebarn Link Road is only shown as 5m and does not reflect the indicative masterplan layout or the key landscape feature area on the corner of Tithebarn Lane and Anning Drive as indicated on the Key Building Frontage Diagram. It is also inadequate to accommodate the proposed attenuation basins.

Presently SuDS drainage considerations appear to be limited to provision of attenuation basins around the perimeter of the site and although section 4.5 makes reference to a surface water drainage strategy this does not appear to have been provided. The Landscape and Green infrastructure parameter plan should provide clearer detail of the proposed SuDS strategy. This should adopt a site wide approach to surface water collection, re-use, filtration and attenuation in a manner that adds amenity and biodiversity value across the site. This should include water/ wetland features within courtyards and parking areas, provision of open channels/ ditches to convey water through the site and consideration of green rooves. The SuDS strategy should be developed at an early stage of the design process and inform the development and refinement of the site masterplan.

Movement and access

There is no mention of measures to promote cycle and pedestrian commuting in particular secure and convenient covered cycle storage and shower facilities and further detail should be provided.

The cycle link to Tithebarn Lane shown on the Access and Movement Diagram is not reflected in the indicative masterplan which should be amended to make provision for cycle access to/ from Tithebarn Lane.

Vehicular access points indicated to north and south of Anning Drive do not reflect indicative masterplan layout.

Details should be provided of the basis for calculating car park numbers and total number of spaces proposed.

Natural England

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes.

Natural England's advice on other natural environment issues is set out below.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when

to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website.

DCC Planning

Devon County Council strategic planning does not have any comments to make regarding either of the applications referenced above.

Devon County Archaeologist

This area has been the subject of previous archaeological evaluation. This did not identify any significant archaeological features that might warrant more detailed recording. Therefore I do not think that any further archaeological mitigation will be required.

EDDC Trees

The proposed access routes do not affect any of the limited number of trees or hedgerows that are on the sites. With all other matters reserved I have no other comments to make at this stage.

Exeter City Council, Planning Department

I consider there are no additional strategic cross boundary issues arising from this proposal (over and above that already proposed as part of the adopted East Devon Local Plan 2013 to 2031).

Highways England

Summary:

Referring to the notification of a planning application dated 20 December 2018 referenced above, in connection with the A30 and Development of 15,329sqm of B1(b) Research and Development floor space with ancillary B1 uses with associated infrastructure and works to form part of the Exeter Science Park (all matters reserved) at Land North And South Of Anning Road, Exeter Science Park, Clyst Honiton, notice is hereby given that Highways England's formal recommendation is that we offer no objection.

Police Designing Out Crime Officer – Devon and Cornwall Police

I appreciate the application is only outline and that the 'illustrative masterplan' provides only an 'indicative layout'. From a designing out crime, fear of crime and disorder perspective, there is too little detail to enable a full response at this stage. However, based on the documentation and plans submitted thus far, please find the following initial information, advice and recommendations to be considered and taken forward should a more detailed application be made, specifically in terms of environmental design and layout for the scheme. Applying the following attributes of Crime Prevention through Environmental Design has shown to reduce levels of crime, disorder and ASB.

Access and movement: Places with well-defined and well used routes, with spaces and entrances that provide for convenient movement without compromising security. Pedestrian routes should be direct, wide, well-lit and overlooked. Planting immediately abutting the pathways should be avoided as they have potential to overgrow thus creating pinch points and reducing visibility.

Consideration will need to be given as to whether the vehicular access to the site needs to be controlled. This will be dependent on the usage and management of the site. When not in use or regularly left without guardianship, sites can become vulnerable to casual intrusion, crime and ASB.

Structure: Places that are structured so that different uses do not cause conflict. I note that the application proposes the development for use of class B1(b) and B1. This should not cause a conflict of use and is suitable for the area. Consideration needs to be given to the positioning of refuse areas, cycle storage/stands, smoking areas etc. to ensure there is no potential conflict in use.

Pedestrian, cycle and vehicular routes throughout the site should be clearly defined and supplemented with rule setting to avoid conflict of use.

Surveillance: Places where all publicly accessible spaces are overlooked; have a purpose and are well managed to prevent creating areas which could attract criminal activity, the antisocial to gather or for unacceptable behaviour.

Obviously an appropriate lighting strategy will need to be implemented to enhance surveillance opportunities and reduce the potential fear of crime for legitimate users of the site.

CCTV should be considered throughout the development with a clear Passport for Compliance document, previously known as an Operational Requirement, in place.

Access controlled areas, entry and exit points and secure areas are particularly important. Obviously specific details and needs will be dependent on the occupiers of the development and the associated risk. However, the infrastructure for CCTV should be considered from the outset.

The layout of office blocks should enable informal surveillance of pedestrian routes, car parking, public spaces etc. and entrances should be positioned in locations that are well overlooked and not concealed or recessed.

Ownership: Places that promote a sense of ownership, respect, territorial responsibility and community.

Effective and appropriate boundary treatments should be utilised to ensure that private and public space is clearly defined. This will create a sense of ownership and avoid the creation of void spaces which can attract ASB. Clear rule setting should be in place to promote ownership.

Physical protection: Doors/windows tested/certificated to an appropriate standard.

As well as ensuring that doors and windows are tested/certificated to an appropriate standard, the physical security of cycle storage/stands, refuse storage etc. should also be considered. Further guidance can be provided.

Activity: Places where the level of human activity is appropriate to the location and creates a reduced risk of crime, fear of crime and a sense of safety at all times. Legitimate use of communal areas should be encouraged, thus avoiding the creation of void spaces.

Management and maintenance: Places that are designed with management and maintenance in mind to discourage crime, fear of crime and ASB.

Clear responsibility for the management and maintenance of the site on completion will need to be established.

County Highway Authority

Observations:

The submitted application is an outline application, with all matters reserved, for the development of 15,329sqm of B1(b) floor space with associated infrastructure and works to form part of Exeter Science Park at the Land North and South of Anning Road, Exeter. This application is related to planning application number: 18/2799/OUT and forms part of a "land swap".

Trip Generation

The applicant has submitted a Transport Statement (TS) which includes a trip analysis to forecast the net change in trips based on the land swap. The TS submitted is almost exactly akin to the one as per planning application number 18/2799/MOUT, which concludes that the additional trips as a result of the land swap is 53 two-way trips in the AM peak hour and 48 two-way trips in the PM peak hour.

Tithebarn Link Road/London Road junction

The highway authority has already expressed concerns over this junction as a result of the land swap applications. The LHA should refer to the response relating to planning application number: 18/2799/OUT for observations on this matter.

Vehicular Access

Vehicular access into the development parcel north of Anning Drive will be via a new junction on Anning Drive whereas access into the development parcel south of Anning Drive is indicated to be via Exeter Science Park. No details have been submitted and it is anticipated that this will be submitted in a forthcoming reserved matters application. Access onto adopted highway will require a S278 licence.

Pedestrian and Cycling Access

The site(s)/cluster(s) are located within an urban area where foot and cycle are a realistic choice for a wide range of journeys. The site(s)/ cluster(s) has/will have access to public transport services on Tithebarn Link Road/Park and Change Site.

Blackhorse Lane and Tithebarn Link Road forms part of Exeter's/East of Exeter's traffic free Cycle Network and maintaining the safety and attractiveness of these routes are essential. Langaton Lane (immediately to the east of the site) also presents North-South pedestrian cycling connections, with the only vehicular impact being from an existing dwelling and kennels (with very low traffic flow). Therefore, from a transport perspective, the applicant should be maximising the pedestrian and cycling connections/permeability through the employment clusters into the green infrastructure routes and residential areas surrounding the site.

The current design and access statement displays a "movement and access plan" which is very indicative and does not make it clear what pedestrian/cycling links will be provided. 3m effective width walking/cycling routes should be provided, integrating into the sustainable network. Therefore, an appropriate condition is recommended.

It is reminded that the original Design and Access statement for Tithebarn green (12/0802/01), section 5.12.1 states that: "Walking and Cycling are to be given high priority on the movement network.....Provision of direct connections to the Science Park from the local centre (should be) easily accessible to residents and people who will work in the Science Park"

Notwithstanding the above, any work that adjoining the public highway will need a S278 agreement. The access points should have sufficient visibility splays and the applicant should be showing these on any submission.

Travel Planning

In accordance with paragraph 111 of the NPPF and the Sustainable Transport SPD, the development will be required to have a Travel Plan each. A Travel Plan should be introduced including details of walking and cycling routes, as well as public transport including maps, timetables, and information about ticket offers. It should also include information about car sharing schemes, car clubs, eco-driving and motorcycle safety. These measures should be encouraged to continue the promotion of non-car based travel.

The applicant should also provide suitable changing facilities/lockers for staff members on site - these should be included to encourage walking/cycling.

Construction

A condition is also recommended to ensure that appropriate facilities for all construction traffic are provided on site before the commencement of any part of the development hereby approved.

Summary

The site is located within an existing urban area and the applicant should improve pedestrian/cycling linkages promoting modal change. If achieved correctly, sustainable development with safe and suitable access for all users can be achieved. Concerns have been raised with regards to the increase in traffic associated with the

development (the land swap) and the impact this will have on the Tithebarn Link Road/London Road junction.

Therefore, subject to appropriate contributions (as outlined in the formal response to Planning Reference: 18/2799/MOUT) and conditions being attached in the granting of any consent, no objection.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, RECOMMENDS THAT THE FOLLOWING CONDITIONS SHALL BE INCORPORATED IN ANY GRANT OF PERMISSION:-

1. Prior to commencement of the development, details shall be submitted to the Local Planning Authority of secure cycle parking provision for the development. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details.

REASON: To provide adequate facilities for sustainable transport.

2. No part of the development hereby approved shall be brought into its intended use details of pedestrian and cycle linkages from the site/through the site have been approved in writing by the Local Planning Authority. No part of the development shall be occupied until the links have been provided, surfaced and marked out in accordance with the approved plans retained for those purposes at all times.

REASON: To provide a safe and suitable access for pedestrians and cyclists in accordance with Paragraph 108 and 110 of the NPPF

3. No part of the development hereby approved shall be brought into its intended use details of vehicular access points have been approved in writing by the Local Planning Authority. No part of the development shall be occupied until the access points have been provided, surfaced and marked out in accordance with the approved plans retained for those purposes at all times.

REASON: To provide a safe and suitable access for pedestrians and cyclists in accordance with Paragraph 108 and 110 of the NPPF

4. A comprehensive Framework Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in advance of occupation of the development. The approved travel plan measures will be implemented to the satisfaction of the Local Planning Authority.

A review of travel patterns for the site shall be undertaken within 3 months of occupation of the development and updated on a basis as agreed in writing with the Local Planning Authority thereafter.

REASON: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 111 of the NPPF

5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement should include details of access arrangements and timings and management of arrivals and departures of vehicles. The approved Statement shall be adhered to throughout the construction period.

REASON: In the interests of highway safety and public amenity

Further comments received 12th April 2019 in response to amended parameter plans:

Vehicular Access Points

The revised parameter plan shows a two vehicular access points to enter both the Northern and Southern parcels. It is acknowledged that all matters are reserved, however, the highway authority does not see the need for multiple access points. A singular access point on either side of Anning Drive should suffice – such an arrangement would minimise the conflict with vehicles on Anning Drive and reduce the amount of points severing the footway/cycleway on Anning Drive (which is to be discussed later on in this response). It is also noticed that a vehicular crossroads is being promoted – this should be avoided in the interests of safety (in line with paragraph 109 of the NPPF). Crossroads have a poor accident record and a staggered vehicular arrangement should be implemented instead, reducing the amount of vehicular conflict, something that could be easily achieved if a singular point of access for both the northern and southern parcel were to be delivered. A condition is imposed to secure more details of the vehicular access points.

Pedestrian and Cycling Access Points

The parameter plan does not provide clarity on the pedestrian/cycling facilities being provided. In order to make this application acceptable, the applicant needs to provide a footway/cycleway on both sides of Anning Drive, something that is not indicated on the revised parameter plan, despite the “Site Opportunities and Constraints Plan” indicating that Anning Drive will become a proposed pedestrian route together with crossing points on Anning Drive. There is no provision of any footway/cycleway on Anning Drive bordering the application parcels at present – without such provision pedestrians and cyclists will be forced onto the carriageway, something that does not promote safe and suitable access (contrary to paragraphs 108 and 110 of the NPPF); therefore the applicant should be providing a shared use path on both sides of Anning Drive fronting each parcel. The width of this path should be of 3m effective width (3.5m wide) which is consistent to the DfT’s guidance on shared use paths. The applicant should enter into a S38/278 or appropriate agreement with the Highway Authority and hence the shared use path should be secured by condition. It is recommended that when further details are submitted at reserved matters stage, that pedestrians and cyclists should have priority over motor vehicles at the vehicular access points. This approach is consistent to the approach taken on the Tithebarn Link Road where raised crossings (humps) have been provided, promoting walking and cycling.

It is noted that the illustrative masterplan and the parameter plan shows crossing points on Anning Drive to accommodate for North – South movements, however, there is a lack of clarity as to what type of crossing facilities are being promoted i.e. it is unknown if these crossing points are to be raised or if simple tactile crossing points are to be installed. Any Reserved Matter proposal will have to clearly indicate these facilities and how it ties into the shared use path that shall be provided on both sides of Anning Drive.

The parameter plan shows an indicative pedestrian/cycle link from Blackhorse Lane, running through the northern parcel and into the southern parcel. Whilst welcomed, it is recommended that the pedestrian/cycling link should extend through to Honiton Road creating a North – South Link, enhancing permeability; akin to the Park and Change parcel, allowing access to sustainable transport hubs located on Honiton Road. There is also the opportunity for this link to connect into the proposed Hotel location directly to the west. The connection point to Blackhorse Lane is welcomed however in the spirit of the NPPF, the applicant should be providing more direct links onto the strategic cycle route. The more pedestrian/cycling points that are provided, the greater the chance of modal change, especially with a vast amount of residential properties being constructed in the area. Equally there should be more pedestrian/cycling connections to Anning Drive accompanying the shared use path that will be provided. Once again, as Anning Drive and Blackhorse Lane are adopted, an appropriate agreement will need to be entered into.

It is pleasing to see that there is a direct East-West linking the Park and Change Site to the Science Park centre. It is also pleasing to see a pedestrian/cycling connection to the Tithebarn Link Road as shown on the “Site Opportunities and Constraints Plan” and should be secured by condition. However, as with all of the pedestrian/cycling links there is a lack of clarity of how wide these points will be (everything seems to be indicative) and hence more details are required at reserved matters stage (3.0m effective width links are recommended).

Suggested conditions

- No part of the development of an approved phase shall be brought into its intended use until the relevant vehicular access point(s) has/have been provided in accordance with details and specifications that shall have been submitted to and approved in writing by the Local Planning Authority.
REASON: To provide a safe and suitable access for pedestrians and cyclists in accordance with Paragraph 108 and 110 of the NPPF
- No part of the development hereby approved shall be brought into its intended use until the relevant pedestrian/cycling access point(s) (of appropriate width) has/have been provided in accordance with details and specifications that shall have been submitted to and approved in writing by the Local Planning Authority.
REASON: To provide a safe and suitable access for pedestrians and cyclists in accordance with Paragraph 108 and 110 of the NPPF
- No part of the development hereby approved shall be brought into its intended use until a shared use path of at least 3m effective width on both sides of Anning Drive (fronting the parcels) and crossing points of Anning Drive have

been approved in writing by the Local Planning Authority. No part of the development shall be occupied until the shared use path(s) have been provided, surfaced and marked out in accordance with the approved plans retained for those purposes at all times.

REASON: To provide a safe and suitable access for pedestrians and cyclists in accordance with Paragraph 108 and 110 of the NPPF

Cycle Parking, Travel Planning and Construction Management Statement were conditioned on the highway response dated 13th February

National Planning Casework Unit

I confirm that we have no comments to make on either of the environmental statements referred to. (18/2797/MOUT & 18/2799/MOUT)

Other Representations

One letter has been received by the Exeter Cycling Campaign with concerns at the lack of information and inadequate thought given to the safety of people walking and cycling.

- 1) The new NPPF requires high quality, safe and easy pedestrians and cycle connections and give them priority.
- 2) The development should build in safety and priority for cyclists to Blackhorse Lane. Little detail given on how the road and cycle infrastructure will cross/meet/join
- 3) The Access and Movement Parameter Plan does not have road names and is difficult to understand.
- 4) The Environmental Statement says the routes for cyclists will be encouraged and relies on the travel plan. Travel plans do not achieve a modal shift to active travel.
- 5) Likely school routes and segregated cycle infrastructure should be investigated to ensure that it is given priority.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 1 (Spatial Strategy for Development in East Devon)

Strategy 3 (Sustainable Development)

Strategy 4 (Balanced Communities)

Strategy 5 (Environment)

Strategy 5B (Sustainable Transport)

Strategy 9 (Major Development at East Devon's West End)

Strategy 10 (Green Infrastructure in East Devon's West End)

Strategy 11 (Integrated Transport and Infrastructure Provision at East Devon's West End)

Strategy 13 (Development North of Blackhorse/Redhayes)

Strategy 31 (Future Job and Employment Land Provision)

Strategy 37 (Community Safety)

Strategy 38 (Sustainable Design and Construction)

Strategy 40 (Decentralised Energy Networks)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

Strategy 47 (Nature Conservation and Geology)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN5 (Wildlife Habitats and Features)

EN7 (Proposals Affecting Sites which may potentially be of Archaeological Importance)

EN13 (Development on High Quality Agricultural Land)

EN14 (Control of Pollution)

EN18 (Maintenance of Water Quality and Quantity)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)

TC4 (Footpaths, Bridleways and Cycleways)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

TC12 (Aerodrome Safeguarded Areas and Public Safety Zones)

Government Planning Documents
National Planning Practice Guidance
National Planning Policy Framework 2019

History

12/1291/MOUT - Outline planning permission approved on 29th November 2013 for the construction of up to 930 dwellings, a new link road, employment area, park and ride, local centre, health and fitness centre, open space and associated servicing. This application was shared with Exeter City Council with 580 dwellings being located in EDDC area. This application was accompanied by an Environmental Statement (ES) under the EIA Regulations.

15/1515/MRES - Approval of reserved matters approved on the 28th August 2015 for the construction of the northern phase of the link road with associated infrastructure and landscaping. This RMA has now been implemented.

16/0902/MRES - Approval of reserved matters on 8th June 2016 for the revised drainage scheme for the approved section of the link road, including the construction of a drainage pond and associated works.

16/1354/MRES - Approval of reserved matters on 5th October 2016 for the construction of the southern phase of the link road with associated infrastructure and landscaping. This section of the link road has just been completed.

16/1934/MRES - Approval of reserved matters on 25th July 2017 for the country park, SUDS and associated infrastructure.

16/1935/MRES - Approval of reserved matters on 14th February 2017 for the erection of 248 dwellings, public open space, landscaping, cycle, pedestrian and vehicular links. This development by BDWH has recently commenced.

17/0644/MRES - Approval of reserved matters on 29th August 2017 for the construction of the southern Mosshayne link road.

17/1825/MRES - Approval of reserved matters on 22nd November 2017 for creation of the central green corridor.

18/0382/MRES Approval of Reserved Matters on the 23rd May 2018 for the construction of 79 dwellings, including affordable housing, landscaping and associated infrastructure together with the partial discharge of certain conditions on the outline planning permission.

18/1365/MRES - Approval of reserved matters (access, appearance, landscaping, layout and scale) application in relation to phase 18, pursuant to outline planning permission 12/1291/MOUT for the provision of a Park & Change facility with associated infrastructure and landscaping. The partial discharge of conditions 1, 4, 5, 8, 10, 19 of application 12/1291/MOUT relating to phase 18.

It should also be noted that the site is adjacent to the current Exeter Science Park with relevant planning history:

Outline planning permission was granted on 11th March 2010 under ref: 09/1107/MOUT for the creation of a Science Park comprising 76,450 sqm of

essentially R & D uses with a hotel and associated infrastructure. To date, a number of reserved matters applications have been approved on phase 1 (the phase next to the current site) for Eagle House, the Science Centre and two grow on buildings, all of which are either complete or under construction. There is also the Met Office development on a site close to the M5 and some infrastructure such as roads and car parks have been constructed. With the outline pp was a S106 to control various aspects of the development.

Site location and Description

The site has an area of about 3.52 ha and is located just to the north of the old A30 Honiton Road, with the new Tithebarn Link Road to the east and Anning Road splitting the site. The site is currently open agricultural land which has outline planning permission for office use under 12/1291/MOUT and to the west is the science park.

The site for the proposed development is reasonably level with a slight fall down to the south particularly within the southern section of the site. To the south east corner of the site there is a new pylon compound for the termination of the overhead line coming in from the south from where it is undergrounded. The land to the east of the southern section of the site has detailed consent for a park and change site. To the north of the northern section of the site is Blackhorse Lane which is now used as a pedestrian and cycle route.

The site is located within the wider Redhayes development, a mixed use scheme which includes residential and commercial uses. Within this development, the planning permission is for office use of this particular part of the site. The wider Science Park is to the west of the site and has a planning permission for about 76,000 sqm of Research and Development. The Science Park is part completed with the Science Park Centre being located next to the southern part of the application site.

The Proposed Development

Outline planning permission is sought to construct 15,329 sqm of Research and Development (Class B1 (b)) floor space with ancillary B1 Uses with associated infrastructure and works. In addition, it is proposed to have the ability to incorporate some of the supporting uses (e.g. café, restaurant, conference, health facilities) from the overall science park planning permission. All matters are reserved.

The application is accompanied by several parameter plans covering: access and movement, green infrastructure, land use and scale together with an illustrative masterplan to show how the site could be laid out.

The application is also accompanied by an Environmental Statement considering the significant environmental effects of the development together with the related planning application for residential development as part of the proposed land use swap. The main subjects are transport, landscape and visual impact, ecology, water resources, air quality, waste, soil and agriculture, noise and vibration, cultural heritage and socio-economic.

The planning application is also accompanied by a draft Deed of Release S106 to, at the point of commencement, release the land from the Tithebarn Green development.

Background

This application is closely related to a second application for residential development on land a short distance to the north (18/2799/MOUT) and also on this agenda.

These two applications are part of a proposed land use swap as follows:

1) The site for the proposed residential development is approved and allocated in the Local Plan as part of the Science Park - phase 2B. This part of the consented Science Park comprises two clusters of development: Langaton Lane and the Anning Road clusters, split into two halves by Langaton Lane. The area of these clusters east of Langaton Lane forms the proposed land use swap with the calculated area of floor space at 15,329 sqm moving to the site the subject of planning application 18/2797/MOUT.

2) The site for the proposed relocation of part of the science park has an outline planning permission for 8,850 sqm of offices as part of the larger mixed use development at Redhayes. The office development is approved on phases 13, 16 and 19. The current application 18/2797/MOUT affects phases 16 and 19 with phase 13 (located to the east side of the Tithebarn Link Road) remaining and suitable for office use, although the 8,850 sqm is very unlikely to be fully realised on this remaining phase.

To help coordinate and integrate these two proposals within the wider Science Park and Redhayes developments, an interim Masterplan was prepared. This was endorsed by the Strategic Planning Committee at their meeting on 4th September 2018. The purpose of the Masterplan is to set out the main contextual changes and key design principles that these two applications should consider and respond to. This is to ensure that the two applications are not considered in isolation as it is essential that they integrate well into the wider development in the locality.

ANALYSIS

Main policy implications

It is a requirement in planning law that all planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Development Plan is the East Devon Local Plan 2013 to 2031 (EDLP). The forthcoming Greater Exeter Strategic Plan (GESP) is in an early stage of preparation and therefore carries very little weight in decision taking.

The site is located in the West End of East Devon where most of the large, strategic developments in the district are planned. Strategy 9 of the EDLP identifies the main strategic development sites in the West End which includes the Science Park and the north of Blackhorse/Redhayes sites. The proposed site for the relocation of part of the Science Park is contained on the site allocated under Strategy 13 for a mixed use development centred on housing but including a neighbourhood centre, social and

community facilities, infrastructure and employment provision. Indeed the outline planning permission for Redhayes provides for office accommodation on the site the subject of the current application as part of this mixed use development principally to provide employment opportunities for the future population in the near locality. It is likely that should this proposal be approved, that office development will still come forward on the remaining parcel albeit at a smaller amount.

As the current site is just outside the allocated Science Park and located on the mixed use development site at Redhayes, it is technically a departure from the development plan and has been advertised as such. The issue is therefore whether there are other material considerations which would weigh more heavily in favour of the planning application. The following considerations are relevant:

1) The proposed site is immediately adjacent to the main science park centre and will be seen in context with this main centre rather than on the outlying clusters. This should give the Science Park more of a presence and help integrate and reinforce this flagship development.

2) The floor area being relocated is approximately the same as would be lost if the residential scheme goes ahead. Therefore, there would be no detriment to the amount of Science Park, it would just be relocated.

Therefore whilst a technical departure, there is no detriment to the Science Park as a strategic allocation, indeed there would be advantages for the Science Park moving forward to deliver a high value employment site. This are considered to be persuasive material considerations that would weigh in favour of the principle of the development proposal provided the S106 clearly ensures that the residential development only takes place once there is confirmation that the Science Park relocation has been secured.

Compliance with the Interim Masterplan, August 2018.

During 2018, an interim Masterplan (IM) was prepared and endorsed by the Strategic Planning Committee to set a high level conceptual framework for how the land use swap proposals should be considered in planning. This was to set a commonly understood basis for the preparation and determination of these two planning applications. It was not to specify the scope or content of technical matters or detail. It concentrated on the important placemaking elements to ensure that the land use swap developments were well integrated and to support the delivery of the Science Park and the surrounding development. It is envisaged that should the land use swap take place, a further Masterplan would be prepared to consider the wider Science park development. The IM considered the changing context in relation to government policy and the local changes since the original masterplan and the shift in work place environments and expectations. It also considered the opportunities that the changes to the context can bring by up-dating the strategic vision for the emerging overall development.

The IM consists of a series of diagrams and high level design principles under the following headings:

1) Strategic connectivity and Green Infrastructure

- 2) Primary Land uses
- 3) Local connectivity
- 4) Development Character and edges.

It is not the purpose of this report to identify all the key components of the IM but below is the key issues with the planning application in relation to compliance.

Strategic connectivity and GI - the IM shows a strategic pedestrian route going north-south through the site linking into the main Science Park on the southern boundary and onto Blackhorse Lane/Link Road on the northern boundary plus a link to the adjacent park and change. The original Access and Movement Parameter Plan only had the link into the park and change and consequently the applicant was requested that this plan also show the north-south link - this issue is also picked up in the section on highways and movement. A subsequent amended parameter plan has been submitted which shows the pedestrian/cycle link to Blackhorse Lane but not through the southern half to the old a30 boundary. The applicant has been asked to consider this again and any up-date will be reported to the DM Committee.

Primary Land Uses - the IM shows the site as for Science Park led uses with the main centre in the area of the existing centre extending into the western section of the southern parcel. This is largely reflected in the masterplan but again the key linkages were missing. It also recognises the key strategic green links and green corridor link. This is referred to later in the report but essentially the key linkages and strategic GI were minimal and the applicant was requested to address this concern and any further up-date will be reported to the DM Committee.

Local connectivity - the IM again emphasised the key pedestrian/cycle links north-south and east-west through the site with primary and secondary connection nodes which were missing from the original Access and Movement Parameter Plan. Again the applicant was asked to address this – see above comments.

Development character and edges - the IM identifies a key Science Park street edge along both sides of Anning Road, key strategic edges along part of the east boundary and the south boundary together with a soft edge to the link road and an important green edge to Blackhorse Lane. The IM sets some design principles which will need to be transferred to the detailed design and can be controlled through the requirement for design coding as a condition on any permission granted. The other issues on the green edges has been picked up later in this report.

Consideration of other planning issues

The planning application is accompanied by an Environmental Statement, various other documents and a series of parameter plans: Access and Movement, Green Infrastructure, Scale and Land Use. These are intended to address the various planning issues the development raises and will be assessed as follows.

Highways and Movement

The application has been supported by a Transport Statement and Design and Access Statement (DAS). Consultation has taken place with Highways England (Strategic Road Network) and DCC Highway Authority (local road network).

Highways England have assessed both applications in terms of the possible impact on the strategic road network and whilst there would be some impact on junction 29 of the M5 and the A30/Moor Lane junction, nevertheless this would not be severe, and in particular the Moor Lane improvements are due to commence in spring 2019. As such, Highways England are satisfied that the number of vehicles generated by the development are not likely to have a material impact on the safe and efficient operation of the strategic road network and have no objection.

The DCC Highway Authority identify that the development proposes a new vehicular access for the northern parcel from Anning Road and will use the existing access next to the Science park Centre to serve the southern parcel. The Transport Statement includes a trip analysis to forecast the net change in trips overall based on the land use swap. This indicates overall (including the reduction in the office land) an additional trip generation of 53 two-way trips in the AM peak hour and 48 two-way trips in the PM peak hour. Access is a reserved matter but the parameter plan for movement and access shows these vehicular access points and any reserved matters application will need to adhere to this plan. A condition is recommended to secure details and construction of the vehicular access point(s).

The site is located in an area with good access to the foot and cycle network and there is a bus service along the Tithebarn Link Road and a consented park and change site. There are therefore good opportunities to maximise the pedestrian and cycle connections and permeability through the site. The interim Masterplan recognised this and indicated a number of connections that should be made.

The initial Movement and Access parameter plan that was submitted showed only a few cycle/pedestrian connections and routes through the site and did not have the key pedestrian/cycle links shown in the interim Masterplan. This interim Masterplan has east-west and north-south connections through the southern parcel together with a link into the northern parcel from Anning Road and through to the Blackhorse lane/Tithebarn Link Road areas.

Following further negotiations on the pedestrian/cycle links, an amended Movement and Access Parameter Plan has been submitted which shows better connections but still with concerns expressed by the County Highway Authority – see consultee section. This relates to the vehicular access points as they would not want to see a cross road formed with the junctions onto Anning Road and would only want one access to each phase from Anning Road.

In terms of pedestrian and cycle movements, this still does not reflect the Interim Masterplan. The footpath/cycle connections should provide a link north-south through the whole site to link into the connection on the old A30. Anning Road does not have a footway/cycleway where it fronts the site which could push pedestrians onto the carriageway. As such, this should be provided on the northern side as part of the

development of the northern phase. The park and change permission includes a 3m wide cycle/footway along the southern side of Anning Road. A condition is recommended to provide for this cycle/footway on the northern side of Anning Road with details of a crossing point.

The comments have been passed back to the applicant and any up-date will be reported to the DM Committee.

In terms of sustainability, a Travel Plan is essential to promote the use of non-car based travel as well as how car usage could be reduced through such initiatives as car sharing and car clubs. The Highway Authority recommend a condition on any permission issued to secure a Travel Plan but the intention is to transfer the travel plan requirement from the existing Science Park S106 to the new site.

Ecology

The site is located within 10km of the East Devon Pebblebed Heaths SAC and SPA together with the Exe Estuary SPA and Ramsar sites. The Environmental Statement anticipates that the development is unlikely to impact on these sites. Natural England confirm this conclusion that the proposed development will not have a significant adverse impact on these statutorily protected sites.

There have been several ecology appraisals done over the recent years with the latest for this site done in June 2018 and is therefore up-to-date. This generally concludes that the site has a low habitat quality and no further surveys are recommended. In terms of species, the following was identified:

- 1) Badgers - no current sign of activity but it is likely that they commute/forage in the area.
- 2) Bats - the two oak trees may provide some roosting opportunities and the site itself is of low importance to foraging bats.
- 3) Birds - common bird species were noted and the hedgebanks, trees and ruderal banks are likely to support nesting and foraging birds.
- 4) Dormice - they have been recorded in the wider Tithebarn Green area and the banks on Blackhorse Lane have a potential to support dormice although this is likely to be limited and could be used for commuting.
- 5) Great Crested Newts - there are no ponds on site and surveys of ponds to the north surveyed in 2012 revealed no newts.
- 6) Reptiles - the bank has the potential for foraging and commuting habitat. Previous surveys in the wider area indicated a low number of slow worms and common lizard in banks being used for commuting.

In terms of the construction phase, a number of recommendations are made which should be picked up through the need to prepare and implement a CEMP.

In terms of mitigation and enhancement, the following is recommended:

- 1) The northern bank to be retained and enhanced through native planting and a buffer strip of meadow grassland.
- 2) Grassland areas to use native seed mix.
- 3) Bird and bat boxes.
- 4) Grass cuttings and brash to be left in piles.

These requirements could be secured through a Landscape and Environmental Management Plan (LEMP) via a condition on any planning permission granted. Artificial exterior lighting also needs to be controlled and it is recommended that a condition requiring the approval of exterior lighting be included which should include an ecology reason alongside amenity and airport safeguarding.

Landscape and visual impact

The application has included a Landscape and Visual Impact Assessment (LVIA) within the Environmental Statement. The proposed development does not have any adverse impact on valued landscapes such as an AONB.

There are some shortcomings with the LVIA as submitted; lack of a theoretical Zone of Visual Influence and some inadequate visual boundary and viewpoints, especially views from south of the A30. These concerns were passed to the applicant.....

It is concluded that during the construction stage, there would be a minor adverse effect compared to the previously approved office scheme. This conclusion is supported.

The LVIA concludes that during the operational stage, the visual significance would be minor adverse. However, this conclusion was not supported as the building height on the highest northern parcel was proposed to be 15m and the original office development was limited to 12m in height. In terms of proposed mitigation to this additional visual impact would be good design, high quality architectural detailing and a new landscape setting (e.g. tall growing forest trees) along the ridge at Blackhorse Lane. However, in such a prominent setting, design would not materially mitigate the scale and tree planting would take many years to approach 15m and could raise an airport safeguarding objection. As such, the applicant was asked to consider the building height on the northern parcel to a level close to the approved height (12m) and has confirmed 13m which would not be a significant increase over the approved.

However, with the submitted amendments, there is still some concern with the GI Parameter Plan and Movement and Access parameter Plan which are considered later in this report.

Parameter Plans

Green Infrastructure Parameter Plan - as submitted, the GI parameter Plan showed a green corridor to Blackhorse Lane of about 5m to 6m in width, with a "soft edge" of about 6m in width on the southern boundary of the site and the east boundary of the northern parcel. The two trees and hedgerow on the north boundary were proposed to be retained. However, this did not reflect the illustrative masterplan and Design and Access statement where larger and more varied landscaped areas were shown for

both parcels. GI should not only include landscaping but also ecology, SUDS, amenity, movement and recreation as an integrated multi-use green space which can connect to the wider GI network.

The design principles contained within the Design and Access Statement were not realised within the GI Parameter Plan and therefore the applicant was requested to address this issue with the submission of a new parameter plan. This shows the landscape buffer area on the north and south boundaries being increased to 10m and the buffer area on the east boundary with the link road being 5m with a wider area adjacent to the corner of the link road with Anning Road. However, this still does not reflect the illustrative masterplan and the Design and Access Statement. Furthermore, these GI areas need to accommodate the SUDS features and there is concern that this is not sufficiently shown as indicated in the Design and Access Statement. The drainage attenuation proposals indicate that about 560 sqm will be required for the basins and this needs to be shown on the GI Parameter Plan. The applicant has been requested to show this and any up-date will be reported to the DN Committee.

Access and Movement Parameter Plan - this is addressed in the Highways and Movement section above.

Scale Parameter Plan - This originally showed a simple height limit of 15m over the whole site. As explained above in the Landscape and Visual Impact section, this has now been reduced down to 13m within the northern parcel.

Land Use Parameter Plan - this just identifies that there would be 15,329 sqm of Science Park uses over the site. Whilst this is not incorrect, it doesn't recognise all the ancillary uses to support a Science park but nevertheless this can reasonably be controlled through a recommended condition and subsequent reserved matters applications.

The outline planning permission included other supporting uses for a science park including a hotel, café/restaurant, crèche, and conference and health/fitness facilities. These supporting uses were limited to specific floorspaces. Except for the hotel (which has a specific site identified), it is reasonable that these other ancillary supporting uses could be accommodated, in part, on the current application site but it is important that the overall limits on floorspace are not additional to the 15,329 sqm being applied for and are part of it. A recommended condition is to control this.

Heritage Assets

Archaeology - the site has been the subject of previous evaluation which didn't identify any significant features that might want more detailed recording. Therefore, no further archaeological mitigation is need as confirmed by DCC Archaeologist.

Built heritage - previous assessment for the Tithebarn Green planning application identified a few listed buildings within 200m of this application. The nearest listed buildings are within Sowton village (including Sowton Lodge) about half a kilometre from the site and with the A30 road in between. As such, there would be no direct or indirect effects on the significance of any built heritage assets in the locality.

Surface Water Drainage

Submitted with the application is a Flood Risk and Drainage Assessment. The site itself is not at risk of fluvial flooding being outside of any functional flood plain and is located in Flood Zone 1. As such, there are no flood hazards that need to be considered.

Policy EN22 (Surface Run-Off Implications of New Development) of the Local Plan looks to ensure that major developments are managed by sustainable drainage systems and the surface water implications of a proposal have been fully considered and found to be acceptable. To achieve SUDS, a hierarchy of solutions should be followed from the preferred option to infiltrate to the ground to the least preferred option of connection to a sewer. The applicant has advised that infiltration rates on the site is likely to be low. As such, it is proposed to drain via a below ground network to attenuation ponds but there has been no detailed design, and then to the DCC highway drainage network on Honiton Road at the controlled and restricted Greenfield run off rate. South West Water have no objections to a discharge to the DCC highway drainage system.

Little specific detail on the surface water drainage proposals were submitted with the application and therefore the Lead Local Flood Authority (LLFA) objected on the basis that it did not comply with policy EN22. The LLFA asked that the climate change allowance and Qbar rate should be revised to allow amended attenuation calculations to be submitted. In addition, MicroDrainage model outputs should be submitted. This has resulted in additional information being submitted which has been assessed by LLFA and any up-date will be reported to the DM Committee.

Air Quality

An Air Quality report has been submitted which concludes that there will be no concerning levels of either nitrogen oxides or particulates from motor vehicles and the additional traffic associated with the development will not lead to any deterioration in ambient air quality. Construction site issues will be controlled through the CEMP.

Waste

This development would result in the approved Science Park floorspace being relocated and the loss of some office floorspace. Additional waste therefore is negligible but any waste should be controlled and managed. During the construction phase this can be controlled through the CEMP and a condition should be imposed to require a Site Waste Management Plan during the operational stage.

Soil and Agriculture

Policy EN13 (Development on High Quality Agricultural Land) of the Local Plan aims to protect the best and most versatile agricultural land (Grades 1, 2 and 3a) from development and this is supported in the NPPF. The land is grade 2/3a although it should be noted that the site is allocated for development in the Local Plan and has an extant outline planning permission. On this basis, an alternative development proposal on the site would not prevent the loss of this agricultural land which was

assessed previously and considered to be acceptable when balanced against all the other planning considerations.

However, the soils on the site could be recovered and handled correctly to minimise the loss of soil resource as identified in the Environmental Statement. The NPPF also requires that decisions should protect and enhance soils. It is therefore recommended that any permission forthcoming should require a scheme of soil recovery and handling to help mitigate the loss of the agricultural land.

Noise and Vibration

The noise report submitted concentrates mostly on the noise impact on the residential planning application but does recognise that the traffic associated with the site and mechanical plant could create a potential operational noise impact. It does conclude that the increase in traffic levels would be negligible but the detailed location and design of mechanical plant needs to be considered. A condition is recommended to secure details of plant and machinery. Construction noise and vibration can be controlled through the CEMP.

Socio-economic

The proposed development would provide the equivalent amount of Science Park but result in a small reduction in office space. The development would result in a significant amount of jobs, particularly in the knowledge-based industries. This would also have a positive impact on goods and services. The construction phase would provide temporary jobs providing a moderate benefit to the local economy.

Airport Safeguarding

Exeter Airport were consulted on the application and initially came back with an objection as the proposals potentially conflict with safeguarding criteria to protect blocks of air through which aircraft fly, the integrity of radar and navigation aids, visual aids and lighting which cause glare or confusion to pilots and ensuring that there is no increased risk of bird strike. Of particular note is the concern to navigational aids as recent developments in the vicinity of the airport have consumed the Instrument Landing System (ILS) static disturbance budgets. The airport therefore requested that the development be modelled to determine the extent if any of any further disturbance. This was completed and the report concluded that there would be no impact on the navigational aids.

There still remains the concerns about attracting more birds (particularly flocking birds) to the area and light spill. In terms of birds, this means ensuring the landscaping avoids trees with dense canopies, and large quantities of fruit and berry bearing plants together with limiting open standing water on the surface water drainage schemes. There is a balance to be achieved between airport safeguarding and ensuring that schemes are sustainable, attractive and encourage wildlife. The airport recognise this and it will need to be considered as part of the details of landscaping and drainage for later submissions.

Lighting is also important to protect pilots from glare or confusion so it is recommended that a condition is imposed to require details of exterior lighting to be agreed by the Local Planning Authority which would entail consultation with the airport.

Proposed legal agreements under S106

The council is now in a CIL regime which requires that the infrastructure identified in the Regulation 123 list cannot be secured through a S106 agreement.

The draft Deed of Release and Planning Obligations has provisions to prevent the commencement of the residential development unless and until one of the following events occurs (whichever is the earlier):

- 1) The owner enters into an unconditional contract/agreement to secure the acquisition of the land the subject of planning application 18/2797/MOUT by Exeter Science Park (ESP).
- 2) The owner and ESP have entered into a conditional contract, option or agreement for sale for the land the subject of planning application 18/2797/MOUT and that contract, option or agreement for sale has become unconditional.
- 3) The development permitted by 18/2797/MOUT has begun.
- 4) EDDC confirms in writing that the residential development may commence, notwithstanding that the above events may not have occurred.

There would be a fundamental policy objection if the residential development (18/2799/MOUT) took place without the accompanying relocated science park development (the subject of this current application) taking place as this would result in the overall loss of site area and floorspace of a strategic employment site and would mean there would be very little justification for permitting the residential development which relies principally on the relocation of part of the science park land

For the purposes of the legal agreements, names have been given to the two areas of land comprised in the land use swap. This is to ensure that the terms used for the land are consistent across the suite of documents. The areas of land are called:

- "Phase 2b Residential Land" means the land which is currently called Phase 2b but will become residential

- "New ESP Land" – this is the land which was part of Tithebarn but will become ESP and was previously called "Relocated Phase 2b" in the ESP Deeds

Draft Deed of Release relating to the New ESP Land

This document:

1. Releases the New ESP Land from the pre-existing Tithebarn Green s.106 provisions
2. Effectively revokes the pre-existing Tithebarn Green planning permission in relation to the New ESP Land

The Deed is conditional upon the Commencement of Development on the New ESP Land or the Phase 2 Residential Land (whichever happens first)

The draft Deed of Variation relating to New ESP Land

This document:

1. Acknowledges that some of the provisions in the ESP s.106 have now been superseded. This has been done in the recitals. The acknowledgement is just that – a recognition that things have moved on – rather than a variation of the planning obligations.
2. From the date of the Commencement of Development on the New ESP Land or the Phase 2 Residential Land (whichever happens first), the Deed releases the Phase 2b Residential Land from the ESP s.106 provisions
3. From the date of the Commencement of the New ESP Development only, the Deed amends the ESP s.106 so as to bind the new ESP Land.

This ensures that the New ESP Land will only be bound by the ESP s.106 provisions if it also has the benefit of the New ESP Permission.

If the New ESP Permission is not implemented, the ability to revert back to the Tithebarn Green planning permission will have been lost through the revocation in the Deed of Release (above). Therefore, the site would have no planning obligations and no implementable planning permission.

Environmental Statement

The Council undertook a screening opinion for both developments and concluded that they were, in conjunction with the other developments in the locality, likely to have a significant environmental effect and therefore required an Environmental Statement (ES) to be submitted. An ES has been submitted for both applications covering the environmental issues for both developments under a single ES.

Under Regulation 3 of the EIA Regulations 2017, the planning authority shall not grant planning permission for EIA development unless an EIA has been carried out.

Under Regulation 26, the planning authority must:

- 1) Examine the environmental information;
- 2) Reach a reasoned conclusion on the significant environmental effects of the proposed development;
- 3) Integrate that conclusion into the decision as to whether planning permission should be granted; and
- 4) Consider whether to impose monitoring measures.

The submitted ES has been taken into consideration and has been consulted on during the application process. The environmental issues have been addressed in this report where relevant and where required, mitigation will be secured through the approval of parameter plans, the imposition of conditions and S106 clauses. It is therefore considered that this report contains reasoned conclusions on the significant environmental effects and these have been integrated into the recommended decision. Subject to securing the relevant mitigation as specified above, it is considered that, under the EIA Regulations, that permission can be granted.

CONCLUSION

The two outline planning applications 18/2797/MOUT and 18/2799/MOUT on this agenda are linked as part of the proposed land use swap on part of the Science Park and on land immediately adjacent to the Science Park, forming part of the mixed use development known as Redhayes. The site for the proposed residential development (18/2799/MOUT) currently forms part of the allocated Science Park, a major strategic employment site, and has an extant outline planning permission for this science park use. The land proposed for the relocation of part of the Science Park is undeveloped but has an extant outline planning permission for offices as part of the wider Redhayes development.

Both planning applications are departures from the development plan as the site for the residential development is outside of any Built-up Area Boundary and is allocated for Science Park use in the Local Plan. The site for the partial relocation of the Science Park is not allocated for Science Park uses but is allocated for the mixed use Redhayes Development. Both planning applications are considered to be Environmental Impact Assessment developments and are accompanied by an Environmental Statement. Both sites are owned by the applicant.

It is a requirement of planning law that planning decisions are determined in accordance with the Development Plan unless material planning considerations indicate otherwise. These planning applications are contrary to the Development Plan and therefore support should only be forthcoming if there are material planning considerations that would weigh in favour of approvals being given by the decision takers.

Overall, there are clear benefits/material considerations with these planning applications which facilitate the land use swap. It is considered that within the balance of planning considerations, the weight falls in favour of permitting the development proposals rather than the rigid application of policy.

Both applications are linked and neither application is acceptable by itself. The draft legal agreements aim to ensure this is the case.

The proposed developments are the subject of Environmental Impact Assessment. An Environmental Statement covering both developments has been submitted which deals with the environmental issues arising from the proposals. The housing element will have some impact on the East Devon Pebblebed Heaths SAC/SPA and the Exe Estuary SPA/Ramsar sites and accordingly an Appropriate Assessment has been completed.

Before the applications were submitted, the council undertook an interim Masterplan which was endorsed by the Strategic Planning Committee, to guide the preparation of these applications to ensure key design elements are incorporated to help integrate the developments into the wider development. The applications are considered to be consistent with this interim Masterplan. It is expected that should the proposed land use swap proceed, a wider Masterplan covering the whole Science Park will be needed.

The other planning issues are addressed in the reports for both planning applications, including the level of affordable housing and viability, together with S106 issues.

On balance, the proposed developments taken together have a number of material benefits for the improved delivery prospects for the science park. Whilst both applications are contrary to policy, they would not cause a material harm being part of the much wider development and growth area in this part of the district and being sustainable. It is therefore the view that there are material planning considerations that would weigh in favour of approving these two planning applications.

RECOMMENDATION

APPROVE subject to the following conditions and the completion of legal agreements under S106:

1. The first application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission. All subsequent applications for reserved matters shall be submitted to the Local Planning Authority for approval no later than ten years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters.
(Reason - To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. A longer than standard time limit has been imposed as the development is likely to come forward in stages, possibly over a long time period, and therefore this is justified.)
2. Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") for each approved phase or phases shall be obtained from the Local Planning Authority in writing before any development is commenced within that phase.
(Reason - The application is in outline with one or more matters reserved.)
3. The development hereby approved shall be carried out in accordance with the following approved plans:
Site Location Plan 15047_L01.01 Rev B.
Parameter Plan_Access and Movement 15047_L01.03 Rev D
Parameter Plan_Land Use 15047_L01.04 Rev A
Parameter Plan_Scale 15047_L01.05 Rev B
Parameter Plan_Green Infrastructure 15047_L01.06 Rev B
(Reason - For the avoidance of doubt and in the interests of proper planning)
4. As part of any reserved matters application for development on an approved phase or part of an approved phase, a detailed phasing plan shall be submitted for the written approval in writing by the Local Planning Authority to specify the proposed timing for the delivery of the access and pedestrian/cycle links, open space/green infrastructure, SUDS as well as the construction programme for the buildings and other elements of the development for that approved phase.

The development shall be carried out in accordance with the approved phasing plan ref: 15047_L01.02 Rev A and the approved detailed phasing plan and delivery programme, or any such amendments to these phasing plans as may be agreed in writing by the Local Planning Authority.

(Reason - to ensure that the development proceeds in accordance with an agreed phasing and programme of delivery in the interests of securing suitable access, drainage and landscaping on the site in a timely manner as part of the co-ordinated development of the site in the interests of the environment and ecology of the area).

5. Prior to the submission of the first reserved matters application for an approved phase or phases, a detailed Design Code for the development on that phase or phases shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall adhere to the design principles established in the Interim Masterplan report, August 2018 (or any further Masterplan superseding the interim report) and include as a minimum the following matters:
 - 1) Airport safeguarding requirements (if applicable).
 - 2) Layout parameters, spaces and movement.
 - 3) Building Design principles including building forms, types and frontages
 - 4) Building materials.
 - 5) External plant and equipment.
 - 6) Boundary treatment and fencing.
 - 7) Lighting.
 - 8) Landscape strategy and Green Infrastructure.
 - 9) Sustainable construction.

The reserved matters application(s) shall adhere to the approved Design Code and each reserved matters application submitted shall include a compliance statement to show how the proposed development adheres to the approved Design Code.

(Reason - to ensure the design of the development is appropriate for the area, minimises the visual impact on the landscape and integrates with nearby development in the interests of the environment of the area and in the interests of airport safeguarding to accord with Strategy 46 (Landscape Conservation and Enhancement and AONB's) and policies D1 (Design and Local Distinctiveness), D2 (Landscape Requirements) and TC12 (Aerodrome Safeguarded Areas and Public Safety Zones) of the East Devon Local Plan 2013-2031. The Design Code is required prior to commencement to enable the code to guide the production of the reserved matters application(s)).

6. The details to be submitted as part of the reserved matters application(s) shall include finished floor levels for the buildings and finished ground levels in relation to a fixed datum, including heights of all plant and equipment above the ground level. The building heights shall not exceed those shown on the approved parameter plan - scale. The development shall be constructed/installed in accordance with the approved details unless any variation is agreed in writing by the Local Planning Authority.

(Reason - to ensure that adequate details are available during the determination of the reserved matters to assess the impact of the development on the area and landscape and in the interests of airport safeguarding to accord with Strategy 46 (Landscape Conservation and Enhancement and AONB's) and

policies D1 (Design and Local Distinctiveness) and TC12 (Aerodrome Safeguarding Areas and Public Safety Zones) of the East Devon Local Plan 2013-2031).

7. Prior to the commencement of development on an approved phase or phases, a Soil Resources Plan shall be submitted to and approved in writing by the Local Planning Authority. The Soil Resources Plan shall set out the procedures that will be put in place to ensure that all high quality soil resources on the site that will be displaced by the development are conserved and reused elsewhere in the locality. The Plan shall detail how high quality soil resources will be identified, how they will be stored and relocated and where they will be reused. The development shall thereafter only be carried out in accordance with the approved plan.

(Reason - To ensure that the high quality soil resources at the site are conserved and re-used having regard to the site being identified as 'best and most versatile' land to accord with policy EN13 (Development on High Quality Agricultural Land) of the East Devon Local Plan 2013-2031 and government policy contained in the National Planning Policy Framework. These details are required prior to the commencement of development as the soil resource will be affected from the start of operations on the site).

8. Prior to the commencement of development of an approved phase or phases, a detailed site waste management plan for the operational stage of that approved phase or phases shall be submitted to and approved in writing by the Local Planning Authority. The requirements of the approved site waste management plan shall be implemented in full during the operational stages of the development.

(Reason- to ensure that the waste arising from the development is managed sustainably and responsibly in accordance with policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031, policy W4 of the Devon Waste Plan 2014 and policy within the National Planning Policy for Waste).

9. Prior to the commencement of development of an approved phase or phases, a Construction and Environmental Management Plan (CEMP) for that approved phase or phases shall be submitted to and approved in writing by the Local Planning Authority.

The CEMP shall include the following matters:

- 1) Air Quality.
- 2) Dust control.
- 3) Lighting.
- 4) Noise and vibration.
- 5) Pollution Prevention and Control, including an emergency plan.
- 6) Protection and maintenance of retained landscape and habitat areas.
- 7) Airport safeguarding
- 8) Construction Traffic Management, including communications.
- 9) Monitoring Arrangements.
- 10) Waste management.

Notwithstanding the above, construction working shall not take place outside the hours of 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with

no working on Sundays or Bank Holidays. There shall be no burning on site. There shall at no time be high frequency audible reversing alarms used on the site.

The measures in the approved CEMP shall be implemented and remain in place throughout the construction period of the approved phase or phases. (Reason - To protect the amenities of nearby occupiers, airport safeguarding and to protect the ecology/protected species in the locality to accord with policies EN14 (Control of Pollution), TC12 (Aerodrome Safeguarded Areas and Public Safety Zones) and EN5 (Wildlife Habitats and Features) of the East Devon Local Plan 2013-2031. The CEMP needs to be approved and implemented at the start of development operations as risks to the environment, airport safeguarding and ecology will be present from this point).

10. The landscaping proposals to be submitted as part of the reserved matters for an approved phase or phases shall clearly show the planting for that phase or phases, the type and colour of all hard surfacing materials for that phase or phases, boundary treatment (to accord with the approved Design Code), all the hedgerows to be retained, removed and created within that phase or phases and how these hedgerows link to the hedgerow network together with future management arrangements of the hedgerows and how they will be protected during construction. The landscaping details to be submitted shall be in accordance with the approved parameter plans and include an implementation programme and maintenance schedule. The landscaping for that relevant phase shall be carried out in accordance with the approved details, including the timetable for implementation and be maintained in accordance with the approved maintenance schedule.

(Reason- In the interests of the long term visual amenity of the site and the landscape setting, airport safeguarding together with the need to conserve and enhance biodiversity on and around the site in accordance with Strategy 7 (Development in the Countryside), policies D1 (Design and Local Distinctiveness), D2 (Landscape Requirements), TC12 (Aerodrome Safeguarded Areas and Public Safety Zones) and EN5 (Wildlife Habitats and Features) of the East Devon Local Plan 2013 to 2031 and policy contained within the NPPF.)

11. Prior to the commencement of development of an approved phase or phases, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall be based on the proposed mitigation and enhancement measures outlined in chapter 7 - Landscape and Visual Impact and chapter 8 - Ecology, and the associated Ecological Appraisal report 15/2856.03b (appendix 8.3) of the Environmental Statement together with future monitoring arrangements. The development shall be carried out in accordance with the approved details or such other details as may be subsequently approved in writing by the Local Planning Authority.

(Reason - to ensure that the impacts of the development on ecology/protected species and the landscape is suitably mitigated for and enhanced to comply with policies EN5 (Wildlife Habitats and Features) and D2 (Landscape Requirements) and Strategy 46 (Landscape Conservation and Enhancement of AONB's) of the East Devon Local Plan 2013-2031. The LEMP is required prior

to commencement as some mitigation/enhancement will be needed at the start of development.)

12. All applications for the approval of reserved matters which include the requirement to provide exterior lighting shall be accompanied by details of exterior lighting and its management for the operational stage of the development and shall be approved in writing by the Local Planning Authority before that relevant development is brought into use. The details to be provided shall accord with the details approved within the Design Code. The exterior lighting shall be provided and managed in accordance with the approved details and maintained thereafter unless any changes are agreed in writing by the Local Planning Authority.
(Reason - to safeguard the amenities of the area, to protect nearby occupiers and protected species from excessive light levels, and in the interests of airport safeguarding in accordance with policies D1 (Design and Local Distinctiveness), EN5 (Wildlife Habitats and Features), EN14 (Control of Pollution) and TC12 (Aerodrome Safeguarded Areas and Public Safety Zones) of the East Devon Local Plan 2013-2031).
13. Should any contamination of soil and/or ground or surface water be discovered during excavation of the site or development, the Local Planning Authority shall be contacted immediately. Site activities in the area affected shall be temporarily suspended until such time as a method and procedure for addressing the contamination is agreed upon in writing with the Local Planning Authority.
(Reason: To ensure that any contamination existing and exposed during the development is identified and remediated in accordance with policy EN16 (Contaminated Land) of the East Devon Local Plan 2013-2031).
14. The details to be submitted as part of any reserved matters application which includes a building or buildings shall include details of secure cycle parking provision for that part of the development. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to occupation, the cycle parking shall be provided in accordance with the submitted details and thereafter maintained.
(Reason: To provide adequate facilities for sustainable transport to accord with policies TC4 (Footpaths, Bridleways and Cycleways) and TC9 (Parking Provision in New Development) of the East Devon Local Plan 2013 - 2031).
15. The details to be submitted as part of any reserved matters application which includes a pedestrian and cycle link as shown on the approved Access and Movement Parameter Plan shall include details of pedestrian and cycle linkages from the site/through the site and how it links into the wider network. No part of the relevant development the subject of the reserved matters approval shall be occupied until the links have been provided, surfaced and marked out in accordance with the approved details and shall thereafter be retained for those purposes at all times.
(Reason - To provide a safe and suitable access for pedestrians and cyclists in accordance with policy TC4 (Footpaths, Bridleways and Cycleways) of the East Devon Local Plan 2013 - 2031 and paragraphs 108 and 110 of the NPPF).

16. No part of the development of an approved phase or phases shall be brought into its intended use until the relevant vehicular access point(s) has/have been provided in accordance with details and specifications that shall have been submitted as a reserved matter and approved in writing by the Local Planning Authority.
(Reason - to ensure suitable and safe vehicular access is provided to accord with policy TC7 (Adequacy of Road Network and Site Access) of the East Devon Local Plan 2013 - 2031).
17. The details to be submitted as part of any reserved matters application which includes the construction of a building or buildings on the phase north of Anning Road (phase 2), shall include details for the provision of a shared use foot/cycle way of at least 3 metres effective width along the phase 2 frontage with Anning Road, together with details of a crossing point(s). The details shall be approved in writing by the Local Planning Authority and provided in accordance with the approved details before any building is occupied on phase 2 and retained thereafter for the approved purpose.
(Reason - To provide a safe and suitable access for pedestrians and cyclists in accordance with policy TC4 (Footpaths, Bridleways and Cycleways) of the East Devon Local Plan 2013 - 2031 and paragraphs 108 and 110 of the NPPF).
18. The use hereby permitted shall comply with the Gateway Policy (the current form of which is appended), or any variation as may be agreed in writing by the Local Planning Authority. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) the use of the development hereby permitted shall be restricted to no more than 15,329 sqm of gross internal floorspace uses within Class B1(b) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking and re-enacting that Order with or without modification) with the only other permitted uses being ancillary uses (Classes B1a and B1c) to the principal Class B1(b) use and for the following, as part of the overall permitted 15,329 sqm, for supporting ancillary uses to the main principal Science park use:
- Class D1 (crèche)
 - Class A3 (Café/restaurant)
 - Class A1 (Retail-convenience)
 - Class D2 (Conference, health and fitness).
- The A1, A3, D1 and D2 uses, described above, shall be limited to the floor areas given in condition 7 of the outline planning permission ref: 09/1107/MOUT and they are site wide limitations covering the whole of the science park and not as additional floorspace to the development hereby permitted.
(Reason - as a relocation of part of the Science Park, this development should be limited to a Science Park with ancillary/supporting uses to ensure that there is no overall loss or gain of allocated and consented Science Park floorspace to maintain the strategic employment site to comply with Strategy 9 (Major Development at East Devon's West End) of the East Devon local Plan 2013 to 2031).

19. The details to be submitted as part of any reserved matters application submitted on a particular approved phase, shall include details of the walls and/or fences to be erected in that phase for the approval in writing by the Local Planning Authority. Any walls and/or fences shall be erected in accordance with the approved details within that phase before it is first occupied.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), these walls and/or fences shall not thereafter be altered, removed or replaced without the prior written approval of the Local Planning Authority.
(Reason - in the interests of preserving and enhancing the appearance of the area, in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan.)
20. Prior to the commencement of a particular approved phase or part of a phase, details of materials to be used externally in that phase or part of that phase shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be built in the materials approved.
(Reason - to ensure that the materials are sympathetic to the character and appearance of the area in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan.)
21. No oils, fuels or chemicals shall be stored on site unless details of the storage facility, including measures for containing accidental releases to the environment, have been submitted to and approved in writing by the Local Planning Authority. The storage facility shall be implemented and operated in accordance with the approved details and thereafter it shall be maintained during the whole period that oils, fuels or chemicals are stored.
(Reason - to prevent pollution of the environment and to safeguard health in accordance with policies EN14 (Control of Pollution) and En18 (Maintenance of Water Quality and Quantity) of the East Devon Local Plan 2013 to 2031).
22. The details to be submitted as part of any reserved matters application submitted that includes plant or machinery, shall be accompanied by a noise assessment to demonstrate that the noise from the plant or machinery shall not cause an unreasonable loss of amenity for nearby residents or employees. The noise assessment shall be agreed in writing by the Local Planning Authority and any measures for noise mitigation shall be carried out in accordance with the approved details before the first operation of the relevant plant or machinery and it shall thereafter be maintained.
(Reason - to protect nearby residents and employees from noise that may be produced from plant or machinery in accordance with policy EN14 (Control of Pollution) of the East Devon Local Plan 2013 to 2031).
23. The layout and appearance proposals to be submitted as part of the reserved matters for an approved phase or part of a phase, shall show the location and appearance of any electricity sub-station(s) required for that part of the relevant development. The details submitted shall be approved in writing by the Local Planning Authority before any commencement is made on that part of the relevant development and the electricity sub-station(s) shall be sited and

constructed in accordance with the approved details. Notwithstanding the provisions of Part 15, Class B 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 further electricity sub-station shall be provided or the approved electricity sub-station(s) shall not be re-located or modified without the prior written approval of the Local Planning Authority.

(Reason - In the interests of the appearance of the development to secure a sensitive design and location for any electricity sub-station and protect areas of open space from an inappropriate location and/or design to accord with strategy 9 (Major Development at East Devon's West End) and policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013 to 2031).

24. No part of the development hereby permitted shall be commenced within an approved phase or phases until the detailed design of the proposed permanent surface water drainage management system for that phase or phases has been submitted to and approved in writing by the Local Planning Authority. The design of this permanent surface water drainage management system shall be in accordance with the principles of sustainable drainage systems, and those set out in the Flood Risk & Drainage Assessment (Rev 03) for the Proposed Commercial Development at Land North & South of Anning Drive, Exeter, dated November 2018. The development shall be carried out in accordance with the approved details.

(Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems to accord with policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan 2013 to 2031. A detailed permanent surface water drainage management plan is required prior to commencement of any works to demonstrate that the plan fits within the site layout, manages surface water safely and does not increase flood risk downstream).

25. No part of the development hereby permitted shall be commenced within an approved phase or phases until the detailed design of the proposed surface water drainage management system which will serve the development site for that phase or phases for the full period of its construction has been submitted to and approved in writing by the Local Planning Authority. This temporary surface water drainage management system shall satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site. The construction works shall be carried out in accordance with the approved details.

(Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area to accord with policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan 2013 to 2031. A plan needs to be demonstrated prior to the commencement of any works to ensure that surface water can be managed suitably without increasing flood risk downstream, negatively affecting water quality downstream or negatively impacting on surrounding areas and infrastructure).

26. No part of the development hereby permitted shall be commenced within an approved phase or phases until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage management system shall be managed and 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 to accord with policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan 2013 to 2031. These details need to be submitted prior to commencement of any works to ensure that suitable plans are in place for the maintenance of the permanent surface water drainage management plan, for the reason above).

NOTE FOR APPLICANT

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

This outline planning permission is accompanied by a S106 Planning Obligation which must be read in conjunction with the decision notice.

The planning application was accompanied by an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. In accordance with Regulation 26 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Local Planning Authority confirms that they have examined the environmental information, reached a reasoned conclusion on the significant environmental effects of the proposed development and integrated that into the decision, together whether any monitoring measures that are appropriate.

Plans relating to this application:

L01.01 B	Location Plan	20.12.18
L01.03 D	Other Plans	25.03.19
L01.04 A	Other Plans	25.03.19
L01.05 B	Other Plans	25.03.19
L01.06 B	Other Plans	25.03.19

List of Background Papers

Application file, consultations and policy documents referred to in the report.