

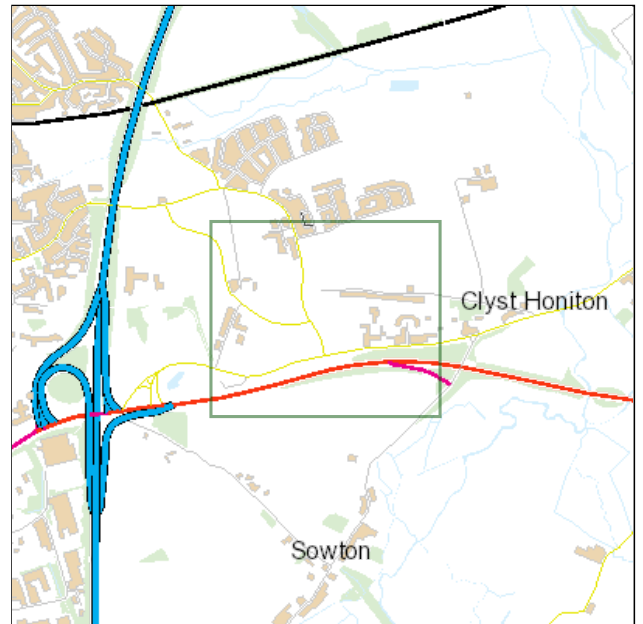
Ward Broadclyst

Reference 21/3148/MOUT

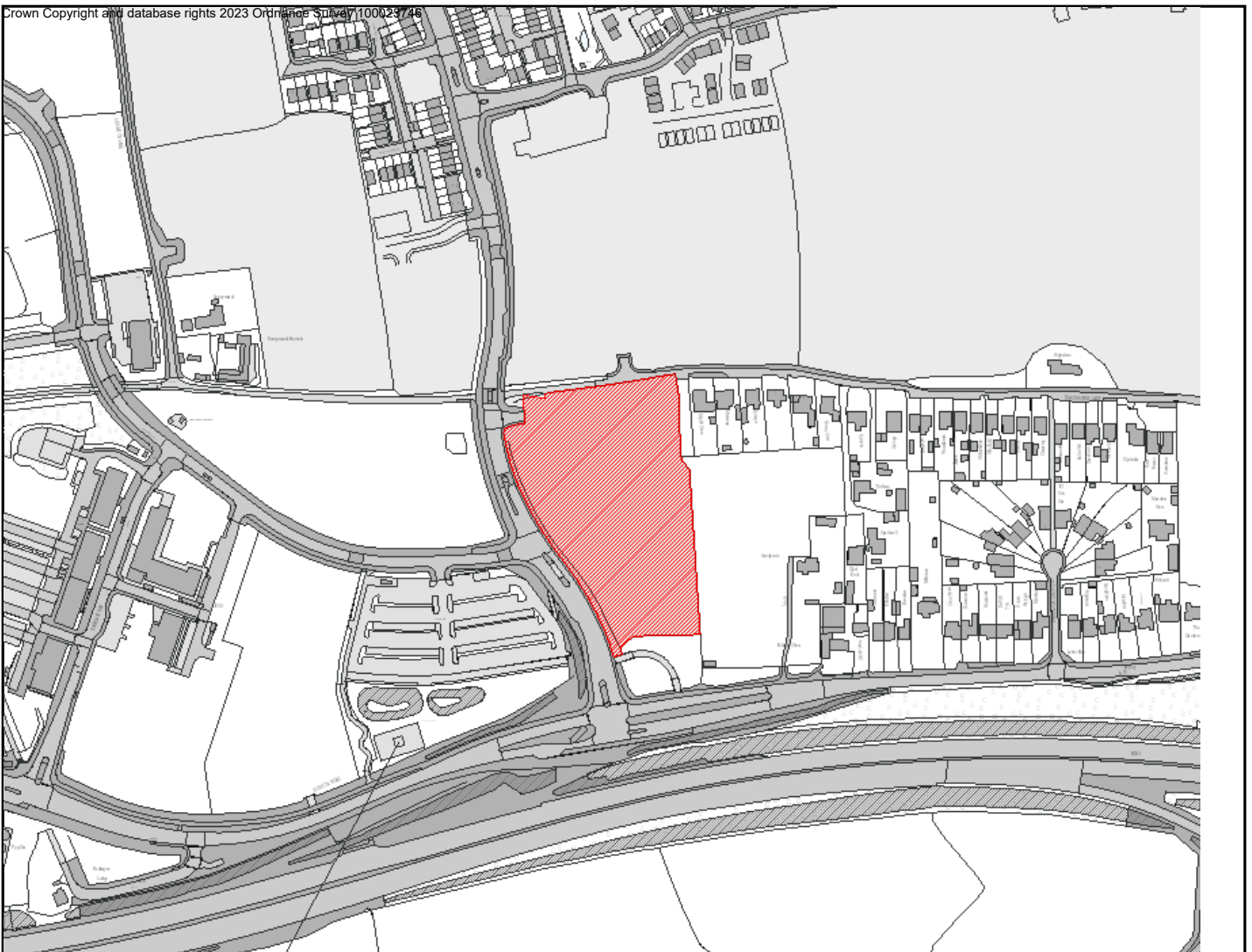
Applicant Mr P Withers

Location Land To The East Of Anning Road/
Tithebarn Way Redhayes Exeter

Proposal Outline application for up to 6,000 sqm GIA
(6,350 sqm GEA) of office development with
associated infrastructure (all matters reserved
except access)



RECOMMENDATION: Approval with conditions



		Committee Date: 31.01.2023
Broadclyst (Broadclyst)	21/3148/MOUT	Target Date: 17.03.2022
Applicant:	Mr P Withers	
Location:	Land To The East Of Anning Road/ Tithebarn Way Redhayes	
Proposal:	Outline application for up to 6,000 sqm GIA (6,350 sqm GEA) of office development with associated infrastructure (all matters reserved except access)	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before Members of the Planning Committee because the officer recommendation differs from that of Broadclyst Parish Council.

The site is located within the West End area of the District and falls within allocation W213A 'North of Blackhorse' within the Proposals Map of the Local Plan. The principle of development to provide office development was previously established through the grant of the 12/1291/MOUT planning permission but the time for submission of reserved matters on this parcel of land has now expired.

This outline planning application therefore proposes up to 6000 sqm GIA (6350 sqm GEA) of B1a office space. Matters of layout, scale, landscaping and appearance have been reserved for future consideration. Approval is sought for vehicular access into the site which would be provided by the existing access from Anning Road/ Tithebarn Way which runs along the western boundary of the site.

Whilst matters other than access have been reserved for future consideration, the application is accompanied by an indicative site layout plan which shows a mix of two and three storey office buildings to be positioned towards the western and southern sides of the site fronting onto Anning Road/ Tithebarn Way to the west and Honiton Road to the south. The layout plans show car parking to be provided behind the office buildings to the east of the site where parking spaces would be provided at a ratio of 1 space per 29 sqm GIA (31 sqm GEA) including disabled parking bays and covered cycle parking area.

In dismissing a previous appeal for the discharge of a condition on this site, the Inspector concluded that the scheme could better promote the role of sustainable

travel through a modest reduction in parking on site in combination with public entrances into each building from Tithe barn Lane, increased permeability with a link to Blackhorse Lane and the enhanced role of landscaping was also considered to be an integral part of any subsequent reserved matters application.

Whilst this application has been made in outline seeking approval for access only, it is considered that the information submitted has demonstrated that the site can accommodate the 6000 sqm of office space proposed, providing active frontage to Tithebarn Way and allowing for an appropriate parking layout and space for meaningful landscaping so as to provide an attractive working environment.

Whilst it is accepted that the indicative layout plans that have been provided do not show an adequate layout in terms of the parking areas and landscaping arrangements, these matters can be considered and assessed in more detail at reserved matters stage.

This proposal has also addressed the parking to floor space ratio and now proposes 1 space per 29 sqm GIA (31sqm GEA) which is an improvement over the previous submission. Having regard for the fact that there are no prescriptive parking policies within the Local Plan and the fact that the Inspector previously considered 1 space per 25 sqm of office space a 'modest oversupply', it isn't considered that an objection could reasonably be sustained on these grounds.

This application would provide employment and office development as part of the wider mixed use development such that it is considered that the principle of development is acceptable and continues to be in accordance with the agreed land uses set out within the aforementioned outline planning permission. On balance it is considered that the scheme complies with Strategies 3, 5B, 10 and 13 and policies D1 and D2 of the Local Plan which seek to ensure new development contributes to the objectives of promoting and securing sustainable modes of travel and transport, enhanced cycling and walking opportunities to link sustainable movement networks and secure attractive layouts with safe and convenient access.

In the absence any technical objections to the application coupled with no impact or harm to residential amenity, highway safety, ecology and archaeology, the application is considered to be acceptable and is therefore recommended for approval subject to conditions.

CONSULTATIONS

Local Consultations

Parish/Town Council

The parish council wishes to OBJECT to the application for a number of planning reasons:

- It fails to address the need for even more office space in the area when there is already available space in the other facilities in the local area.
- This proposed building is proposed as a 3-storey unit which will be located on the highest point locally making it visible from virtually everywhere in the vicinity from all directions. It is too prominent and should only be considered with a maximum of two storeys.
- The sustainability of the whole project is questionable with a huge car park, with no electric vehicle charging facilities.
- There appears to be very little screening of the development in order to reduce its prominence.

Technical Consultations

National Highways- 14/12/2022

Referring to the notification of an outline application referenced above, for up to 6,000 sqm GIA (6,350 sqm GEA) of office development with associated infrastructure (all matters reserved except access), on land to the east of Anning Road/Tithebarn Way, Redhayes, Exeter, notice is hereby given that National Highways' formal recommendation is that we:

b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A - National Highways recommended Planning Conditions & reasons);

Highways Act 1980 Section 175B is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Annex A National Highways recommended Planning Conditions & reasons

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England was renamed National Highways in August 2021. Prior to April 2015 the organisation was known as the Highways Agency. National Highways is a government owned company responsible for operating, maintaining and improving the SRN.

Statement of Reasons

We write in respect of the application referenced above, which is seeking outline permission for the development of office employment use (E(c)) comprising 6,350 GEA. All matters are reserved except for access, on land to the east of Tithebarn Way, Exeter. The parcel of land is referred to as Phase 13, which forms part of the wider Tithebarn Green development. The site is located approximately 600m to the east of the closest connection to SRN at the A30 and M5 Junction 29.

We understand that the site is allocated in the East Devon District Council Local Plan 2013-2031 (adopted 2016) under Strategy 13 (Development North of Blackhorse/Redhayes) and forms part of the planned employment provision at this location. Furthermore, it is worth noting this planning application is a partial resubmission of the approved 2013 outline planning application for the wider Tithebarn Green site (ref: 12/1291/MOUT). For this parcel of land the 2013 outline application deadline for reserved matters applications has lapsed, hence this outline planning application.

Previous Planning Response

As set out in our formal planning response to the application dated 16 September 2022, National Highways required further information to enable us to determine the impact of the development on our assets and the safe and efficient operation of the SRN. Further work has been undertaken by the applicant's consultants following our request, which inform this response.

Impact on Strategic Road Network

In our previous response to this planning application we identified that the 'Exeter Office Gateway Transport Statement' (TS) (dated October 2021) supplied alongside the outline application did not consider the SRN, in particular any potential impacts of the development proposals where it connects to the A30 and M5 Junction 29 near this site.

Since our response in September 2022 we have discussed the application with the applicant's transport consultants, with further information provided, namely a 'Technical Note' produced by PJA dated 1/12/22. This, combined with a separate workstream carried out by National Highways, has satisfied the queries we raised previously:

- Baseline conditions / trip demand and impact - since responding to this application in September 2022 National Highways has undertaken survey work of Junction 29. It was concluded that this data suitably enables National Highways to interpret the current state of our network in this location and facilitates our own understanding of

the potential impact of this development. Alongside the availability of new data, we acknowledge the planning history of the site and mitigation schemes implemented,

National Highways Planning Response (NHPR 21-09) September 2021 which in combination satisfies concerns raised regarding interpretation of baseline and potential impacts of the development.

- Personal Injury Accident (PIA) Data - it is acknowledged that the Technical Note (1/12/22) now provides information to consider the wider highway network around the development, to include the SRN.

- Development Proposals - the parking proposals for the site have been clarified. As indicated in our previous response, the quantum of parking proposed remains substantial.

- Further Matters (Construction Traffic Management and Travel Planning) - following our previous response request for further information regarding these two workstreams, the applicant has indicated that they anticipate these matters to be addressed through condition, when they have greater certainty regarding occupiers (as confirmed in the Technical Note dated 1/12/22). National Highways provides suggested conditions below. Our ongoing interest in the Travel Plan will look to ensure that transport impacts from this site are minimised and that the quantum of parking is not assumed as a basis for encouraging vehicular movements.

Recommendation

National Highways recommends that the following planning conditions be applied to a permission granted for planning application 21/3148/MOUT to the effect that:

Prior to the commencement of the development hereby permitted, including any ground/clearance works, a Construction Traffic Management Plan shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways). The measures contained within the agreed Construction Traffic Management Plan will be implemented in full unless otherwise agreed in writing by the local planning authority (in consultation with National Highways). The Construction Traffic Management Plan shall remain in place for the duration of the construction phase.

Reason: in the interest of the safe and efficient operation of the strategic road network.

The development hereby permitted shall not be brought into use unless and until a comprehensive Travel Plan has been submitted to and approved in writing by the local planning authority (in consultation with National Highways). The Travel Plan shall be prepared in line with prevailing policy and best practice and shall include as a minimum:

the identification of targets for trip reduction and modal shift;
the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of users with limited mobility requirements;

the timetable/phasing of the implementation of the Travel Plan measures and its operation thereafter;

the mechanisms for monitoring and review;

the mechanisms for reporting;

the remedial measures to be applied in the event that targets are not met;

mechanisms to secure variations to the Travel Plan following monitoring and reviews.

Reason: in the interest of the safe and efficient operation of the strategic road network.

National Highways- 31/08/2022

Referring to the notification of an Outline planning application referenced above, for the construction of up to 6,000 sqm GIA (6,350 sqm GEA) of office development with associated infrastructure (all matters reserved except access), on land to the east of Anning Road/Tithebarn Way, Redhayes, Exeter, notice is hereby given that National Highways' formal recommendation is that we:

c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);

Highways Act 1980 Section 175B is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

¹ Where relevant, further information will be provided within Annex A.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Annex A National Highways recommended Non Approval for a period of 1 month

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England was renamed National Highways in August 2021. Prior to April 2015 the organisation was known as the Highways Agency. National Highways is a

government owned company responsible for operating, maintaining and improving the SRN.

Statement of Reasons

We write in respect of the application referenced above which is seeking outline permission for the construction of up to 6,000 sqm GIA (6,350 sqm GEA) of office development with associated infrastructure (all matters reserved except access), on land to the east of Anning Road/Tithebarn Way, Redhayes, Exeter. Application 21/3148/MOUT was brought to our attention by the Local Planning Authority on 25 August 2022.

National Highways understands that formal consultation on this application commenced in December 2021, however it does not appear that we, as a Statutory Consultee, were notified of the application.

To provide us with sufficient time to review the application we are issuing a holding recommendation, in accordance with The Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, to provide us with the statutory 21 day consultation period, within which we will aim to respond. This is necessary to ensure that the development proposals will not result in an unacceptable impact on the safe and efficient operation of the Strategic Road Network or its assets, in compliance with the DfT Circular 02/2013 "The Strategic Road Network and the Delivery of Sustainable Development" and the MHCLG National Planning Policy Framework (NPPF).

Recommendation

National Highways recommends that application 21/3148/MOUT not be granted for a period 1 month from the date of this recommendation. This is to provide National Highways, as a statutory consultee, with sufficient time to review the application to ensure it will not result in an unacceptable impact on the safe operational of the strategic road network, in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015, DfT Circular 02/2013 "The Strategic Road Network and the Delivery of Sustainable Development" and the MHCLG National Planning Policy Framework (NPPF).

Devon County Highway Authority

Observations:

The application constitutes parcel 13 of the master planning application, 12/1291/FUL, however due to a time-lapse, this parcel is essentially subject to a new outline application. As a result of a land-swap within the overarching Tithebarn proposals, this will now also be the only parcel for office development.

The access for footways and cycles includes the desire line into Blackhorse Lane as well as access from the west and from Anning Road direction. If this application should be approved, secure cycle storage will be required. It would also be good to see a car club provision on this parcel, especially with the amount of parking provision to be provided.

Should the parcel wish to have any of the network adopted by the County Highway Authority (CHA), a Section 38 application/plan will be required at a reserved matters stage. The access is already established due to the new-build development of the masterplan as a whole.

The strategic network capability for this application, has been assessed in both the Transport Assessment of 12/1291/FUL, with an updated Transport Assessment also provided specifically for this application, Overall I believe the improvements to Junction 29 of the M5, together with the works of the Pinhoe Access Strategy and ongoing design works for London Road, that the trip generation for this application is provided for under these provisions.

Though I do note that the Transport Assessment of this application states that parking will be inline with Devon County Councils parking standards, though we do provide advice on the technical geometry and layout of spaces, the parking number is ultimately a policy for the LPA to ascertain. If this application should be approved, a swept path plan to show that delivery vehicles can utilise this access, would be appreciated.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Devon County Council, Minerals & Waste

Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan requires major development proposals to be accompanied by a Waste Audit Statement. This ensures that waste generated by the development during both its construction and operational phases is managed in accordance with the waste hierarchy, with a clear focus on waste prevention in the first instance. A key part of this will be to consider the potential for on-site reuse of inert material which reduces the generation of waste and subsequent need to export waste off-site for management. It is recommended that these principles are considered by the applicant when finalising the layout, design and levels.

This application is not supported by a Waste Audit Statement and it is therefore recommended that a condition is attached to any consent to require the submission of a statement at reserved matters stage to demonstrate all opportunities for waste minimisation, reuse and recycling have taken place.

Devon County Council has published a Waste Management and Infrastructure SPD that provides guidance on the production of Waste Audit Statements. This includes a template set out in Appendix B, a construction, demolition and excavation waste checklist (page 14) and an operational waste checklist (page 17). Following the guidance provided in the SPD will enable the applicant to produce a comprehensive waste audit statement that is in accordance with Policy W4: Waste Prevention of the Devon Waste Plan. This can be found online at:

<https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/supplementary-planning-document>

DCC Flood Risk Management Team -20/07/2022

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:

Prior to or as part of the Reserved Matters, the following information shall be submitted to and approved in writing by the Local Planning Authority:

(a) A detailed drainage design based upon the approved Flood Risk & Drainage Assessment For The Proposed Development At Exeter Gateway Tithebarn, 18.04.105 dated November 2021.

(b) Detailed proposals for the management of surface water and silt run-off from the site during construction of the development hereby permitted.

(c) Proposals for the adoption and maintenance of the permanent surface water drainage system.

(d) A plan indicating how exceedance flows will be safely managed at the site.

(e) Evidence there is agreement in principle from the to connect into the local sewer network.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (e) above.

Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.

Observations:

Following my previous consultation response FRM/ED/3148/2021, dated 20.07.2022, the applicant has submitted additional information in relation to the surface water drainage aspects of the above planning application, for which I am grateful.

- Flood Risk & Drainage Assessment For The Proposed Development At Exeter Gateway Tithebarn, 18.04.105 dated November 2021.

The applicant has proposed a feasible surface water drainage strategy encompassing tanks to restrict the runoff to greenfield rates. The site will drain into the wider green corridor designed for the Tithbarn development which will offer amenity, biodiversity and water quality benefits.

DCC Flood Risk Management Team – 28.01.2022

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.

Observations:

The applicant should provide evidence that the discharge rate of 5.5 l/s/ha has been approved previously. We would require 40% for climate change rather than 30% regardless of the design life of the development.

We would require that FEH rainfall to be used rather than FSR rainfall for the attenuation calculation.

Tanks are being proposed which do not fulfill the 4 pillars of SuDS and do not adhere to our SuDS for Devon Guidance (2017). We acknowledge there is limited space at the site but the applicant should seek to use some sort of above ground feature or under drained permeable paving as part of the surface water drainage strategy.

We would be happy to provide another review if additional information is submitted to the local planning authority.

DCC Historic Environment Officer

There are a few issues with the submissions (as appear on-line), but they do not affect my response to the application - which is not to object or make any archaeological recommendations.

The submitted archaeological assessment (Appendix 14.1: Exeter Archaeology, May 2011) is rather out of date, and the Submitted Geophysical Surveys (Appendix 14.2: Stratascan, Nov 2011 and Appendix 14.3: Stratascan, Jan 2012) do not relate to the application area. One is on the west side of the M5 and the other is north of Tithebarn Lane (the Pinn Brook Enclosure site).

However, various reports on archaeological survey, evaluation and excavation in and around the proposal area have been published and are publicly available. The application area itself has been the subject of geophysical survey (Wessex Archaeology, 2015) and archaeological evaluation (Cotswold Archaeology, 2016). I have checked the relevant survey reports and although some undated archaeological features were identified in the area I do not believe that they are of such extent or significance to warrant further archaeological evaluation or mitigation work. The existing reports are sufficient record.

I therefore do not object to the proposal or have further comments to make. I will be happy to discuss this further with you or the applicant if needed.

EDDC Lanscape Architect

1 INTRODUCTION

This report forms the EDDC's landscape response to the outline application for the above site.

The report provides a review of landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information.

The site received approval for office development, now lapsed, under a previous application, ref 12/1291/MOUT. A subsequent condition 3 discharge application relating to framework and parameter plans was refused by EDDC on the grounds of lack of active frontage to Tithebarn Way, excessive car parking provision and inadequate landscape treatment.

2 SITE LOCATION, CONTEXT AND DESCRIPTION

2.1 Site location

The site comprises a corner plot extending to 1.4Ha situated at Blackhorse on the eastern side of the junction of Tithebarn Way with Honiton Road. Proposed access is from an existing turning head off Tithebarn Way in the northwest corner of the site.

2.2 Site description

The site is situated on a low ridgeline at an altitude of approximately 35m AOD. Beyond the site the ridgeline rises gently to a high point of 45m to the northwest and falls away to the east northeast, east and southeast. The site itself has been previously graded to create a level platform raised by some 2m above existing road level at its southwestern corner.

The eastern boundary comprises a mature leylandii hedge line which is somewhat overgrown. The northern boundary comprises a native hedgebank in moderate-poor condition. The southern and western boundaries are fenced. There are a few broadleaved trees in the north east corner of the site and a small copse situated just beyond the southeast corner. Otherwise there are no landscape features within the site and landcover comprises rough grassland.

The land to the east comprises a medium sized field with existing housing beyond. To the west, beyond Tihebarn way, is the recently constructed park and change site and Exeter Science Park is situated to the north east. A strategic cycle commuter route runs adjacent to the northern site boundary. Beyond this lies the Tithebarn Green development which has planning approval for sports fields and a pending application for mixed use development.

The A30 runs 150m to the south and M5 700m to the west. Sowton village and conservation area are situated 700m to the south.

The site lies within landscape character type 3B - Lower rolling farmed and settled valley slopes as defined in the East Devon Landscape Character Assessment 2019. but, as indicated above, the immediate landscape context is in a state of flux and heavily influenced by existing road, power and communications infrastructure and existing and planned development.

There is no public access within the site but the western boundary follows the edge of the footway to Tithebarn Way.

Views from the site to the east and west are constrained by landform and/ or vegetation cover but there are extensive views to the south towards the Pebble Bed Heaths and East Devon AONB and more distant views to the northwest to the Blackdown Hills AONB.

There are no landscape or conservation designations within or in close proximity to the site. Sowton Conservation Area is some 700m to the south.

3 REVIEW OF SUBMITTED INFORMATION

3.1 Landscape and Visual Appraisal

Methodology

There is no methodology to accompany the assessment and no clear definition is provided of terminology used.

Description of development

The description of the proposed development does not consider the height of the proposed buildings which is a key factor in assessing landscape and visual effect.

Landscape appraisal

There is no clear indication of likely landscape effects.

It is generally unclear how assessments of landscape sensitivity and impact have been arrived at. In respect of viewpoint 1 - Mosshayne Lane, the landscape impact is given as low, on the stated premise that 'the view is not within a designated landscape'. It is not the case that development impacts on non-designated landscapes are necessarily low. Equally development impacts within designated landscapes are not necessarily high.

For VP9 - Estuary Car Park, Woodbury, landscape impact and sensitivity is given as high. While sensitivity is likely to be high at this location within the AONB, the degree of impact on the special qualities of the AONB is likely to be low given that the view point is 8km from the site.

Visual appraisal

The viewpoint photographs conform with industry standard guidance and are clearly set out, although it is noted that photography has been undertaken in summer and effects are likely to be greater when trees are not in leaf.

Contrary to best practice advice, the accompanying ZTV does not indicate what height setting has been used for the modelling.

It is unclear what the basis of viewpoint selection has been and extensive areas shown on the ZTV where development is indicated as potentially visible do not appear to have been considered. This includes Sowton footpath 1, Sowton village itself and Bishops Court Lane. The ZTV should have been tested in the field to establish an actual zone of visibility.

Visual magnitude for each of the proposed viewpoints is defined wrongly as Impact and Sensitivity. This is probably an error and should be Visual Impact (Magnitude and Sensitivity)

Evaluation and landscape summary

Notwithstanding the above criticisms the conclusions of the assessment that the landscape and visual impact of the development are likely to be largely limited to the immediate environs of the site are accepted.

Consideration of overall LVA findings

Notwithstanding the criticisms noted above the overall conclusions of the assessment that the landscape and visual impacts of the proposed development are largely limited to the site and its

3.2 Indicative proposals

Although the application is outline with all matters reserved except access, an outline site plan is included with the application and proposed buildings illustrated in the DAS.

While the building footprint, massing and layout is similar to the previous condition 3 application, the buildings have been redesigned to provide main entrances directly on to Tithebarn Way, addressing one of the reasons for the refusal of the condition discharge application.

Car parking has also been reduced from 1 space/ 25m² floor area to 1 space/ 29m². Despite this reduction the extent of car parking still provides limited opportunity for provision of landscape buffers and the creation of attractive amenity space to the rear of the buildings. This is exacerbated by the creation of individual parking areas for each of the three buildings which makes the layout inefficient and increases overall parking numbers required. Providing a single shared use car park to serve all three buildings in a similar arrangement to the park and change scheme opposite, combined with a further reduction of parking numbers would free up space to improve the quality of green infrastructure and help to screen development in views from the east and northeast.

4 CONCLUSION AND RECOMMENDATIONS

4.1 Acceptability of proposals

Notwithstanding shortcomings in the submitted LVA, the proposal for three office buildings of the scale, form and layout indicated in the DAS appears acceptable in terms of likely landscape and visual impact. However, as noted above, further consideration is required in respect of proposed parking numbers and the layout of the car park and landscape areas to the rear of the buildings in order to provide adequate tree planting and amenity value for users of the buildings.

4.2 Conditions

Should the application be approved the following conditions should be imposed:

1) No development work shall commence on site until the following information has been submitted and approved:

a) A full set of hard landscape details for proposed walls, fencing, retaining structures, pavings and edgings, site furniture, bin and cycle storage and signage.

b) Details of locations, heights and specifications of proposed free standing and wall mounted external lighting including means of control and intended hours of operation including lux levels plan.

c) A site levels plan indicating existing and proposed levels based on an accurate topographic survey and showing the extent of earthworks and any retaining walls. This shall be accompanied by at least one north-south and two east west sections through the site at a scale of 1:200 or greater clearly showing existing and proposed ground level profiles across the site and relationship to surroundings.

d) Surface water drainage scheme incorporating appropriate SuDS features including proposed profiles, levels and make up of swales and attenuation ponds and locations and construction details of check dams, inlets and outlets etc.

e) A full set of soft landscape details including:

i) Planting plan(s) showing locations, species and number of new tree, shrub and herbaceous planting, type and extent of new amenity/ species rich grass areas, existing vegetation to be retained and removed.

ii) Plant schedule indicating the species, form, size, numbers and density of proposed planting.

iii) Soft landscape specification covering soil quality, depth, cultivation and amelioration; planting, sowing and turfing; mulching and means of plant support and protection during establishment period together with a 5 year maintenance schedule.

iv) Tree pit and tree staking/ guying details including details for extended soil volume under paving where necessary for trees within/ adjacent to hard paving.

g) Measures for protection of existing perimeter trees/ undisturbed ground during construction phase in accordance with BS5837: 2012. Approved protective measures shall be implemented prior to commencement of construction and maintained in sound condition for the duration of the works.

2) No development shall take place until a Landscape and Ecology Management Plan (LEMP) for a minimum period of 20 years has been submitted to and approved in writing by the Local Planning Authority which should include the following details:

Extent, ownership and responsibilities for management and maintenance.

Details of how the management and maintenance of habitats, open space and associated features will be funded for the life of the development.

A description and evaluation of landscape and ecological features to be created/ managed and any site constraints that might influence management.

Landscape and ecological aims and objectives for the site.

Detailed maintenance works schedules covering regular cyclical work and less regular/ occasional works in relation to:

- o Existing trees, woodland and hedgerows.
- o New trees, woodland areas, hedges and amenity planting areas.
- o Grass and wildflower areas.
- o Biodiversity features - hibernaculae, bat/ bird boxes etc.
- o Boundary structures, drainage swales, water bodies and other infrastructure/ facilities within public/ communal areas.

Arrangements for Inspection and monitoring of the site and maintenance practices.

Arrangements for periodic review of the plan.

Management, maintenance, inspection and monitoring shall be carried out in accordance with the approved plan.

3) The works shall be executed in accordance with the approved drawings and details and shall be completed prior to first use of the proposed buildings with the exception of planting which shall be completed no later than the first planting season following first use.

4) Any new planting or grass areas which fail to make satisfactory growth or dies within five years following completion of the development shall be replaced with plants of similar size and species to the satisfaction of the LPA.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness), Policy D2 (Landscape Requirements) and Policy D3 (Trees in relation to development) of the East Devon Local Plan. The landscaping scheme is required to be approved before development starts to ensure that it properly integrates into the development from an early stage.)

EDDC Trees

No arboricultural concerns.

Exeter & Devon Airport - Airfield Operations+Safeguarding

I acknowledge receipt of the above planning application for the proposed development at the above location.

This proposal has been examined from an Aerodrome Safeguarding aspect and does not appear to conflict with safeguarding criteria.

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 (AOA) Advice notes:

Lighting near Aerodromes.

Wildlife Hazards around Aerodromes

Cranes and other Construction Issues.

And, Civil Aviation Authority (CAA) CAP1096 Guidance to crane users on crane notification process and obstacle lighting and marking.

Accordingly, Exeter Airport have no safeguarding objections to this development provided that all safeguarding criteria are met, as stipulated in the AOA and CAA Advice Notes, and there are no changes made to the current application.

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

South West Water

With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Asset Protection

Please find attached a plan showing the approximate location of a public 300mm water main in the vicinity of the above proposed development (southern boundary

area). Please note that no development will be permitted within 3.5 metres of the water main. The water main must also be located within a public open space and ground cover should not be substantially altered.

Should the development encroach on the 3.5 metre easement, the water main will need to be diverted at the expense of the applicant.

www.southwestwater.co.uk/developer-services/water-services-and-connections/building-near-water-mains/

Further information regarding the options to divert a public water main can be found on our website via the link below:

www.southwestwater.co.uk/developer-services/water-services-and-connections/diversion-of-water-mains/

Should you require any further information, please contact the Pre Development Team via email: DeveloperServicesPlanning@southwestwater.co.uk.

If further assistance is required to establish the exact location of the water main, the applicant/agent should call our Services helpline on 0344 346 2020.

Clean Potable Water

South West Water is able to provide clean potable water services from the existing public water main for the above proposal. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.

Foul Sewerage Services

South West Water is able to provide foul sewerage services from the existing public foul or combined sewer in the vicinity of the site. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.

The applicant can apply to South West Water for clarification of the point of connection for either clean potable water services and/or foul sewerage services. For more information and to download the application form, please visit our website: www.southwestwater.co.uk/developers

Surface Water Services

The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Discharge into the ground (infiltration); or where not reasonably practicable,
2. Discharge to a surface waterbody; or where not reasonably practicable,
3. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,

4. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)

Having reviewed the applicant's current information as to proposed surface water disposal for its development, it appears that the disposal destination proposed is a surface water body, which is acceptable and meets with the Run-off Destination Hierarchy.

The route to the surface water body however is unclear, and is likely via a private sewer system, not shown on the sewer records (also attached for reference), - the applicant would need to gain permission from the sewer owner(s) to discharge to these sewers. Please also note that South West Water would not adopt a drainage network (foul or surface water) unless the downstream sewers to which they discharge are public (already adopted).

I further note that, if these receiving sewers (indicated to the north of the application site) are part of an active S104 Sewer Adoption application, then the increase in flows due to the additional foul and surface water flows from the above proposed development site would need to be communicated to the South West Water adoptions coordinator associated with the Sewer Adoption for the " central sewer system" mentioned in the FRA, on drawing SK04 P01 in Appendix A.

I trust this provides confirmation of our requirements, however should you have any questions or queries, please contact the Planning Team on 01392 442836 or via email: DeveloperServicesPlanning@southwestwater.co.uk.

Police Architectural Liaison Officer - Kris Calderhead

Thank you on behalf of Devon and Cornwall Police for the opportunity to comment on this application. I would like to make the following comments and recommendations for your consideration.

- I note that there does not appear to be any secure boundaries proposed at this stage to prevent trespassing, unauthorised access etc. It is recommended that access to private space is restricted to legitimate users or at the very least that access and movement throughout the site is controlled. Appropriate boundary treatments supplemented with signage, rule setting, a change in road surface (colour or texture) should be utilised in order to clearly define and separate public and private space.

- It is recommended that more detailed design includes vehicle barriers at the entrance to the car park in order to protect against illegal encampments and prevent unauthorised access. The site will be particularly vulnerable to such incidents during periods when legitimate use is limited.

- Ensure where necessary that vehicle mitigation measures are in place in order to prevent deliberate or accidental conflict between vehicles and pedestrians/building lines.

- External site lighting levels are recommended to meet BS 5489:2020. For crime prevention measures, lighting should be provided by on-building solutions or pole mounted luminaires if possible. Bollard lighting should be minimised and used for

demarcation of routes only, or supplementary as part of a general design. A uniform level of light throughout a site should be provided, thereby eliminating areas of shadowing. Coverage should include pedestrian links, entrance/exits, parking area etc.

- It is recommended that CCTV is installed throughout the development. Surveillance opportunities will be minimal when the site is not in use. Coverage should include entry/exits points, car park areas, cycle/bin stores, circulation routes etc. It is advised that the system has a monitoring capability with a Passport for Compliance Document, including an Operational Requirement drawn up prior to any installation.

- Ensure all external doors and accessible windows for industrial premises are tested and certificated to a nationally recognised security standard. See Secured by Design Commercial Developments 2015 v2 at www.securedbydesign.com for further information

I look forward to commenting on more detailed design should the application progress.

EDDC District Ecologist - Rory Chanter

Stephen Fitt (RSPB) has a history of reviewing apps in the district and regularly comments on apps. Stephen has been integral in developing a new British Standard (BS 42021:2022) for integrated bird boxes in new buildings (1 per dwelling in most cases). To this end, Stephen has flagged up the above application as having potential for more integrated bird boxes (in accordance with Policy EN5). I also have some recommendations, having read the app and accompanying EclA:

1. Increase the number of proposed bird boxes from 6 across the whole site, to 8 integrated swift boxes per building, to be positioned in suitable locations in accordance with best practice guidance.
2. Sensitive lighting plan to ensure protection of retained biodiversity features. 0.5 lux at retained habitats and adjacent greenspace/wildlife areas, to maximise ecological functionality.
3. Details of hibernacula/brush piles in retained hedgerows.
4. Detail of native vegetation to the north (including within the settlement pond), east and south, to maximise the biodiversity value of retained and proposed habitat features.
5. Reptile mitigation and enhancement plan within retained/created habitats.

Please let me know if you see any issues with the above, and if these recommendations can/should be incorporated now (secured through a condition at outline) or are better left for a LEMP (Landscape and Ecology Management Plan, or similar) at RM.

Other Representations

No letters of representation have been received at the time of writing this report.

PLANNING HISTORY

Reference	Description	Decision	Date
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12/1291/MOUT	Development of the site to provide up to 930 dwellings, a new link road, employment area (B1a Use Class), park and ride facility, local centre/square, health and fitness centre, creche, public and private open space and car and cycle parking, together with landscaping and associated servicing (all matters reserved except points of access)	Approval with conditions	29.11.2013
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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)

EN14 (Control of Pollution)

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)

Site Location and Description

The site comprises a corner plot extending to 1.4Ha situated at Blackhorse on the eastern side of the junction of Tithebarn Way with Honiton Road. The site is situated on a low ridgeline at an altitude of approximately 35m AOD. Beyond the site the ridgeline rises gently to a high point of 45m to the northwest and falls away to the east northeast, east and southeast. The site itself has been previously graded to create a level platform raised by some 2m above existing road level at its south western corner.

The eastern boundary comprises a mature leylandii hedge line which is somewhat overgrown. The northern boundary comprises a native hedge bank in moderate-poor condition. The southern and western boundaries are fenced. There are a few broadleaved trees in the north east corner of the site and a small copse situated just beyond the southeast corner. Otherwise there are no landscape features within the site and land cover comprises rough grassland.

The land to the east comprises a medium sized field with existing housing beyond. To the west, beyond Tithebarn way, is the recently constructed park and change site and Exeter Science Park is situated to the north east. A strategic cycle commuter route runs adjacent to the northern site boundary. Beyond this lies the Tithebarn Green development which has planning approval for sports fields and a pending application for mixed use development.

The A30 runs 150m to the south and M5 700m to the west. Sowton village and conservation area are situated 700m to the south.

The site lies within landscape character type 3B - Lower rolling farmed and settled valley slopes as defined in the East Devon Landscape Character Assessment 2019 but, as indicated above, the immediate landscape context is in a state of flux and heavily influenced by existing road, power and communications infrastructure and existing and planned development.

There is no public access within the site but the western boundary follows the edge of the footway to Tithebarn Way.

Views from the site to the east and west are constrained by landform and/ or vegetation cover but there are extensive views to the south towards the Pebble Bed Heaths and East Devon AONB and more distant views to the northwest to the Blackdown Hills AONB.

There are no landscape or conservation designations within or in close proximity to the site. Sowton Conservation Area is some 700m to the south.

Planning History:

The application site relates to what was part of a development of up to 930 dwellings, a new link road, employment area (B1a Use Class), park and ride facility, local centre/

square, health and fitness centre, creche, public and private open space and car and cycle parking, together with landscaping and associated serving (all matters reserved except point of access)-(ref 12/1291/MOUT). The application site formed phase 13 of the outline permission and was approved solely as an employment area (B1a Use Class). The deadline for the submission of reserved matters lapsed on the 1st May 2021.

Members will note an application to discharge condition 3 of outline permission 12/1921/MOUT for phase 13 was refused by the Council under delegated powers. Condition 13 specifically stated:

" Prior to the submission of any reserved matters application(s), other than in connection with the link road, for an agreed phase or phases of the development, a framework plan and statement on the appearance palette for the agreed phase or phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The framework plan(s) (1:1000) shall follow the principles established in the indicative masterplan (plan no: 9901 Rev M) and it shall be in accordance with the approved parameter plans. The framework plan(s) shall show the indicative location of buildings and their type, public and private open spaces and parking (including cycle parking) typologies, together with how the design principles in the approved Design and Access Statement will be applied at the more detailed level. The appearance palette shall be provided in the form of a statement providing information and guidance on building design and character, constructional materials and detailing, surface materials and their finishes, street furniture and street tree species".

A subsequent appeal (ref APP/U1105/W/20/3246215) against the Council's refusal to discharge condition 3 in respect of phase 13 was dismissed on the 2nd July 2020. The appeal decision will be a material consideration in the determination of this application and will be discussed further within the body of this report. Members should however note that the appeal was dismissed by the Inspector on the grounds that the parking infrastructure was considered to be the dominant feature of the site layout, the scheme was lacking in landscaping, the frontages of the building should be facing Tithebarn Way, and there should be a pedestrian link provided between the site and Blackhorse Lane. In dismissing the appeal, it was concluded that the proposals did not comply with the Outline Framework Plan or Design and Access Statement of outline permission 12/1291/MOUT and therefore in conflict with condition 3.

Proposed Development:

This outline planning application proposes up to 6000 sqm GIA (6350 sqm GEA) of B1a office space. Matters of layout, scale, landscaping and appearance have been reserved for future consideration. Approval is sought for vehicular access into the site which would be provided by the existing access from Anning Road/ Tithebarn Way which runs along the western boundary of the site.

Whilst matters other than access have been reserved for future consideration, the application is accompanied by an indicative site layout plan which shows a mix of two and three storey office buildings to be positioned towards the western and southern sides of the site fronting onto Anning Road/ Tithebarn Way to the west and Honiton

Road to the south. The layout plans show car parking to be provided behind the office buildings to the east of the site where parking spaces would be provided at a ratio of 1 space per 29 sqm GIA (31 sqm GEA) including disabled parking bays and covered cycle parking area.

Indicative pedestrian footpath connections are shown to link the office development with Anning Road. Tithebarn Way and Blackhorse Lane to the north of the site.

Issues and Assessment:

The main issues to consider in determining this application are in terms of the policy position and principle of development, the impact on the character and appearance of the area, the residential amenities of the occupiers of surrounding properties, highway safety and parking, archaeology, the ecological and arboricultural impacts and drainage and surface water run-off. Whilst matters of appearance, layout, scale and landscaping are reserved and the details that have been provided in support of the application are only indicative at this stage, the applicant needs to be able to demonstrate that the site can accommodate the proposed 6000 sqm of office space including landscaping and parking within the site. Therefore in determining this application it is considered that the aforementioned appeal decision will be a material consideration where in particular matters of parking to office space ratios, landscaping, providing office frontages onto the highway and pedestrian links within the scheme will be considered

ANALYSIS

Policy Position and Principle of Development:

The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Council formally adopted the East Devon Local Plan 2013-2031 on 28th January 2016 and the policies contained within it are those against which applications are being determined and carry full weight.

The site is located within the West End area of the District and falls within allocation W213A 'North of Blackhorse' within the Proposals Map of the Local Plan. The principle of development to provide office development was previously established through the grant of the 12/1291/MOUT planning permission and complies with the following Local Plan Strategies:

Strategy 1- Spatial Strategy for Development in East Devon- East Devon's West End will accommodate major employment development to attract inward investment.

Strategy 4- Balanced Communities- Securing Employment provision across East Devon

Strategy 13- Development North of Blackhorse/ Redhayes of the Local Plan which states that on site employment provision will form part of the overall development.

Strategy 31- Future Job and Employment Land Provision encourages mixed use developments and the provision of employment uses close to where people live.

On the basis that this application would provide employment and office development as part of the wider mixed use development, it is considered that the principle of development is acceptable and continues to be in accordance with the agreed land uses set out within the aforementioned outline planning permission. As such, the principle of development is considered to be acceptable.

Landscape and Visual Impact and Layout:

In land use and layout terms, it was previously accepted that an employment scheme comprising three office buildings on the site was in accordance with the original land use parameter plan. The Council's Landscape Officer has considered the Landscape Visual Appraisal submitted with this application and despite finding a number of shortcomings with the assessment, the overall conclusions that the landscape and visual impact of the development are likely to be largely limited to the immediate environs of the site are accepted. The Landscape Officer accepts that the proposal for three office buildings of the scale, form and layout indicated in the Design and Access Statement appears acceptable in terms of likely landscape and visual impact.

Although the application has been made in outline with all matters reserved except access, an indicative outline site plan has been included with the application with the proposed buildings illustrated in the Design and Access Statement. In dismissing the earlier appeal, the Inspector raised a number of concerns about the submitted scheme which conflicted with the basic principles for this particular phase of the wider scheme. This was to deliver employment buildings which were to have key frontages onto Tithebarn Lane (albeit not set directly adjacent thereto), and the site was to provide a pedestrian and cycle link to Blackhorse Lane which runs along the northern boundary of the site.

Whilst indicative, it is accepted that it has been demonstrated that the amount of office space proposed can be provided on the site. While the building footprint, massing and layout is similar to the previous condition 3 application, the buildings have been redesigned to provide main entrances directly on to Tithebarn Way which addresses the issue raised by the Inspector in the appeal against the Council's refusal to discharge the condition.

Parking:

In the previous appeal, the appellant proposed a parking ratio of 1 car parking space per 25 sqm of office floor area. The Inspector considered that the scheme would be overly orientated towards car parking and car travel concluding that the parking provision would amount to a 'modest oversupply'. In reaching this conclusion the Inspector acknowledged the Council's lack of prescriptive policies but gave weight to the desire to ensure the success of the adjacent Park and Change and also to promote and encourage other more sustainable modes of travel to meet the provisions of Strategies 3- Sustainable Development and 5B- Sustainable Transport of the Local Plan which collectively seek to ensure new development contributes to the objectives of promoting and securing sustainable modes of travel and transport, enhance cycling

and walking opportunities to link sustainable movement networks and secure attractive layouts with safe and convenient access.

In respect of parking, the Inspector concluded that the scheme could better promote the role of sustainable travel through a modest reduction in parking on site in combination with public entrances into each building from Tithebarn Lane.

This proposal has addressed the parking to floor space ratio and now proposes 1 space per 29 sqm GIA (31sqm GEA) which is an improvement over the previous submission. Having regard for the fact that there are no prescriptive parking policies within the Local Plan and the fact that the Inspector previously considered 1 space per 25 sqm of office space a 'modest oversupply', it isn't considered that an objection could reasonably be sustained on these grounds. Whilst officers have sought a further reduction in the parking ratio, it is accepted that car parking provision will be essential in making the office building commercially viable as no end users have been identified at present. The precise number of parking spaces to be provided would be determined by the amount of floor space proposed at reserved matters stage and it is considered that an appropriately worded condition can be imposed to specify the parking ratio.

In addition to ensuring that the parking ratio does not discourage sustainable modes of transport, in accordance with policy TC9- Parking Provision in New Development of the Local Plan, it is considered necessary and reasonable to impose a condition which requires the provision of charging points for electric cars and details of secure cycle storage.

Permeability:

It is important to note that in the dismissed appeal, the Inspector found no rationale for the omission of a pedestrian link to Blackhorse Lane from the mid-northern section of the site to link with the originally envisaged 'movement node'. Despite that the access to the site is closer to Blackhorse Lane than originally envisaged, the opportunity that this presents to maximise permeability and favour users of sustainable modes of travel should not be overlooked.

To address this issue, the revised indicative layout now proposes a link from the site to Blackhorse Lane which would increase the permeability of the scheme and encourage sustainable modes of travel. The addition of the pedestrian link is considered to be a benefit of the scheme.

Landscaping:

In dismissing the previous appeal, the Inspector concluded that the road and parking infrastructure were the dominant feature of the layout and has the effect of making the landscaping appear tokenistic.

The landscape officer acknowledges that despite the reduction in the extent of car parking there is still limited opportunity for provision of landscape buffers and the

creation of attractive amenity space to the rear of the buildings. This is exacerbated by the creation of individual parking areas for each of the three buildings which makes the layout inefficient and increases overall parking numbers required.

The landscape officer acknowledges that providing a single shared use car park to serve all three buildings in a similar arrangement to the park and change scheme opposite, combined with a further reduction of parking numbers would free up space to improve the quality of green infrastructure and help to screen development in views from the east and northeast.

Whilst these points are noted, it is considered that the parking layout and landscaping of the development can be considered in greater detail at reserved matters stage to ensure that the parking is not an overly dominant feature of the office development and that meaningful landscaped areas can be planted to help provide a more attractive working environment.

Conclusions:

In dismissing the previous appeal, the Inspector concluded that the scheme could better promote the role of sustainable travel through a modest reduction in parking on site in combination with public entrances into each building from Tithebarn Lane. Increased permeability with a link to Blackhorse Lane and the enhanced role of landscaping as an integral part of the scheme would be further aspects for inclusion within any subsequent reserved matters application.

Whilst this application has been made in outline seeking approval for access only, it is considered that the information submitted has demonstrated that the site can accommodate the 6000 sqm of office space proposed, providing active frontage to Tithebarn Way and allowing for an appropriate parking layout and space for meaningful landscaping so as to provide an attractive working environment.

Whilst it is accepted that the indicative layout plans that have been provided do not show an adequate layout in terms of the parking areas and landscaping arrangements, these matters can be considered and assessed in more detail at reserved matters stage.

On balance it is considered that the scheme complies with Strategies 3, 5B, 10 and 13 and policies D1 and D2 of the Local Plan which seek to ensure new development contributes to the objectives of promoting and securing sustainable modes of travel and transport, enhance cycling and walking opportunities to link sustainable movement networks and secure attractive layouts with safe and convenient access.

Residential Amenity:

Policy D1- Design and Local Distinctiveness requires that development proposals do not adversely affect the amenity of occupiers of adjoining residential properties.

Policy EN14- Control of Pollution states that permission will not be granted for development which would result in unacceptable levels, either to residents or the wider environment of:

1. Pollution of the atmosphere by gas or particulates, including. smell, fumes, dust, grit, smoke and soot.
2. Pollution of surface or underground waters including:
 - a) Rivers, other watercourses, water bodies and wetlands.
 - b) Water gathering grounds including water catchment areas, aquifers and groundwater protection areas.
 - c) Harbours, estuaries or the sea.
3. Noise and/or vibration.
4. Light intrusion, where light overspill from street lights or floodlights on to areas not intended to be lit, particularly in areas of open countryside and areas of nature conservation value.
5. Fly nuisance.
6. Pollution of sites of wildlife value, especially European designated sites or species.
7. Odour

The application site is located adjacent to a large area of land belonging to a residential property known as Sandycote on which there have been a number of planning permissions granted for residential development. Outline planning permission was granted in 2018 (ref 14/2195/MOUT) for the construction of up to 34 dwellings, access and open space however this planning permission has now expired.

Of further note is a current major application on the site (ref 21/3235/MFUL) for the demolition of the existing dwelling and outbuildings and the construction of 45 dwellings (22 affordable), means of access and associated works which is also before members of the Planning Committee today with an officer recommendation of approval.

Whilst the site does not currently benefit from planning permission for residential development, owing to the site's close proximity to Sandycote and the gardens of other properties which border the site, the likely impacts of the proposed office development and activity arising from its use should be assessed.

The application has been made in outline and therefore the layout of the development is not fixed although given the issues raised within the body of this report and the need to provide an active frontage onto Anning Way/ Tithebarn Lane, any forthcoming reserved matters application is likely to propose the office buildings to the western boundaries of the site which would ensure that the impacts from the buildings themselves is minimised and not significantly harmful.

It is likely that the main impacts arising from the proposal would be from activity, parking and lighting within the site particularly from vehicles parking close to the eastern boundaries of the site. As such it is considered that the parking layout, the position of an external lighting and forms of robust landscaping and boundary treatment are carefully considered at the detailed design stage. However it is accepted that office development with parking can be accommodated on the site without causing significant harm to the residential amenities of the occupiers of existing properties and future residential development that may take place on the adjacent site at Sandycote.

Highway Safety:

Policy TC7- Adequacy of Road Network and Site Access of the Local Plan states that planning permission for new development will not be granted if the proposed access, or the traffic generated by the development, would be detrimental to the safe and satisfactory operation of the local, or wider, highway network.

The County Highway Authority (CHA) have advised that the strategic network capability for this application, has been assessed in both the Transport Assessment of 12/1291/FUL, with an updated Transport Assessment also provided specifically for this application, Overall the CHA conclude that with the improvements to Junction 29 of the M5, together with the works of the Pinhoe Access Strategy and ongoing design works for London Road, that the trip generation for this application is provided for under these provisions. The CHA has advised that:

The application constitutes parcel 13 of the master planning application, 12/1291/FUL, however due to a time-lapse, this parcel is essentially subject to a new outline application. As a result of a land-swap within the overarching Tithebarn proposals, this will now also be the only parcel for office development.

The access for footways and cycles includes the desire line into Blackhorse Lane as well as access from the west and from Anning Road direction. If this application should be approved, secure cycle storage will be required. It would also be good to see a car club provision on this parcel, especially with the amount of parking provision to be provided.

Should the parcel wish to have any of the network adopted by the County Highway Authority (CHA), a Section 38 application/plan will be required at a reserved matters stage. The access is already established due to the new-build development of the masterplan as a whole.

Despite originally objecting to the application on the basis that National Highways (NH) required further information to determine the impact of the development on their assets and the safe and efficient operation of the Strategic Road Network. They identified that the 'Exeter Office Gateway Transport Statement' (TS) (dated October 2021) supplied alongside the application did not consider the SRN, in particular any potential impacts of the development proposals where it connects to the A30 and M5 Junction 29 near this site.

Since this response in September 2022 it is understood that NH have discussed the application with the applicant's transport consultants, which has led to the submission of a further 'Technical Note' which, combined with a separate work stream carried out by National Highways, has satisfied the queries they raised previously.

Subject to conditions which require the submission of a Construction Traffic Management Plan and a comprehensive Travel Plan in the interests of the safe and efficient operation of the strategic road network, National Highways have removed their objection to the application.

Surface Water Drainage:

Policy EN22- Surface Run-Off Implications of New Development of the Local Plan states that:

Planning permission for new development will require that:

1. The surface water run-off implications of the proposal have been fully considered and found to be acceptable, including implications for coastal erosion.
2. Appropriate remedial measures are included as an integral part of the development, and there are clear arrangements in place for ongoing maintenance over the lifetime of the development.
3. Where remedial measures are required away from the application site, the developer is in a position to secure the implementation of such measures.
4. A Drainage Impact Assessment will be required for all new development with potentially significant surface run off implications.
5. Surface water in all major commercial developments or schemes for 10 homes or more (or any revised threshold set by Government) should be managed by sustainable drainage systems, unless demonstrated to be inappropriate.

The original objection from the County Council's Flood Risk Management Team has been withdrawn following the submission of an additional Flood Risk Assessment and information in relation to the surface water drainage aspects of the proposal. They have advised that the applicant has now proposed a feasible surface water drainage strategy encompassing tanks to restrict the runoff to greenfield rates. The site would drain into the wider green corridor designed for the Tithebarn development which would, in principle, offer amenity, biodiversity and water quality benefits.

Subject to conditions which require the submission of a detailed drainage design that is based upon the Flood Risk & Drainage Assessment it is considered that the proposal is acceptable in flood risk and surface water drainage terms and complies with the provisions of policy EN22.

Ecological Impact:

Policy EN5- Wildlife Habitats and Features of the Local Plan states that wherever possible sites supporting important wildlife habitats or features not otherwise protected by policies will be protected from development proposals which would result in the loss of or damage to their nature conservation value, particularly where these form a link between or buffer to designated wildlife sites. Where potential arises positive opportunities for habitat creation will be encouraged through the development process.

The application is accompanied by an updated ecological survey which concludes that due to the low habitat quality of the site and the limited scale of development, no further survey work is required.

The report sets out a number of measures designed to mitigate and compensate for the ecological impacts of development in order to provide a gain in biodiversity at the site post-development which includes landscape buffers and planting and the provision of bat and bird boxes to provide new opportunities for nesting and roosting within the buildings.

The Council's Ecologist has considered the report and has raised a number of recommendations to help better improve bio-diversity and habitat gain from the development:

1. Increase the number of proposed bird boxes from 6 across the whole site, to 8 integrated swift boxes per building, to be positioned in suitable locations in accordance with best practice guidance.
2. Sensitive lighting plan to ensure protection of retained biodiversity features. 0.5 lux at retained habitats and adjacent greenspace/wildlife areas, to maximise ecological functionality.
3. Details of hibernacula/brash piles in retained hedgerows.
4. Detail of native vegetation to the north (including within the settlement pond), east and south, to maximise the biodiversity value of retained and proposed habitat features.
5. Reptile mitigation and enhancement plan within retained/created habitats.

Having regard for these points it is considered that it is reasonable to impose a condition that requires the submission of a Landscape Ecological Management Plan which can capture the above recommendations and better inform the final layout of the office development and to minimise ecological impacts.

Archaeological Impact:

Policy EN7 - Proposals Affecting Sites which may potentially be of Archaeological Importance of the Local Plan states that when considering development proposals which affect sites that are considered to potentially have remains of archaeological importance, the District Council will not grant planning permission until an appropriate desk based assessment and, where necessary, a field assessment has been undertaken.

The application has been considered by the County Council Archaeologist who has advised that various reports on archaeological survey, evaluation and excavation in and around the proposal area have been published and are publicly available. The application area itself has been the subject of geophysical survey (Wessex Archaeology, 2015) and archaeological evaluation (Cotswold Archaeology, 2016). He concludes by saying "I have checked the relevant survey reports and although some undated archaeological features were identified in the area I do not believe that they are of such extent or significance to warrant further archaeological evaluation or mitigation work. The existing reports are sufficient record".

Aerodrome Safeguarding:

Policy TC12 - Aerodrome Safeguarded Areas and Public Safety Zones of the Local Plan states that the outer boundary of the aerodrome safeguarded areas and the Public Safety Zones for Exeter International Airport are shown on the Proposals Map. Within these areas planning permission will not be granted for development that would prejudice the safe operation of protected aerodromes or give rise to public safety concerns. Planning permission will not be granted for developments in the vicinity of an airport (or that could impact on safe operation of aeroplanes) that would compromise air safety by creating physical obstructions that could interfere with flight

paths or navigational aids. Permission will not be granted for developments that will unduly prejudice future development or expansion programmes or potential at Exeter airport.

The application has been considered by Exeter Airport who have no safeguarding objections to the development provided that all safeguarding criteria are met.

Waste Management:

Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan requires major development proposals to be accompanied by a Waste Audit Statement. This ensures that waste generated by the development during both its construction and operational phases is managed in accordance with the waste hierarchy, with a clear focus on waste prevention in the first instance. A key part of this will be to consider the potential for on-site reuse of inert material which reduces the generation of waste and subsequent need to export waste off-site for management. It is recommended that these principles are considered by the applicant when finalising the layout, design and levels.

This application is not supported by a Waste Audit Statement and it is therefore recommended that a condition is attached to any consent to require the submission of a statement at reserved matters stage to demonstrate all opportunities for waste minimisation, reuse and recycling have taken place.

District Heating Network:

Strategy 40- Decentralised Energy Networks of the Local Plan states that new development with a floor space of at least 1000 sqm should, where viable, connect to an existing Decentralised Energy Network in the locality to bring forward low and zero carbon energy supply and distribution. This proposal for up to 6000 sqm of office space triggers this policy requirement and whilst there is no mention within the planning submission of proposing to connect to a network, all of the existing Science Park and the Tithebarn housing are connected to the Energy Centre that's just over the M5 motorway in Exeter. In the absence of any suggestion from the applicant that it would not be viable to connect to the network and in the interests of sustainable development, it is considered that the office buildings should be constructed so that the internal systems for space and water heating are connected to the decentralised energy network prior to their first occupation for their permitted use which it is suggested should be the secured through condition.

RECOMMENDATION

APPROVE subject to the following conditions:

1. Approval of the details of the layout, scale and appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline with one or more matters reserved.)

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three 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 to be approved.
(Reason - To comply with section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)
3. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 and the Use Classes Order 2020 (or any Order revoking and re-enacting that Order with or without modification) the development hereby permitted shall be restricted to no more than 6000 sqm of gross internal floorspace to be used as offices to carry out any operational or administrative functions and/or the research and development of products or processes and for no other purpose (including any other purpose in Class E (g) of the Schedule to the Town and Country Planning (Use Classes) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
(Reason - To define the planning permission and to ensure that the use of the site conforms with the employment uses for the Science Park maintaining its use as a 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).
4. As part of any reserved matters application, a phasing programme for the development shall be submitted. The development shall thereafter be carried out in accordance with the approved details.
(Reason - To ensure the proper development of the site.)
5. No part of the development hereby approved, except for the construction of the access road as specified below, shall be commenced until:
The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway and that there is adequate turning space for construction vehicles. The ironwork has been set to base course level and the visibility splays required by this permission laid out. A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority.
(Reason - To ensure that adequate on site facilities are available for all traffic attracted to the site during the construction period, in the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining residents to accord with policies D1 (Design and Local Distinctiveness) and TC7 (Adequacy of Road Network and Site Access) of the East Devon Local Plan 2013 to 2031).
6. The first reserved matters application to be submitted shall include details for the provision of the pedestrian and cycle link from the development to Blackhorse Lane, including details of layout, surfacing, levels and lighting (if required), together with details as to when in the development process the link will be provided and how it will be managed and maintained. The link shall be

provided and open for use prior to first occupation of the office development and thereafter managed in accordance with the approved details.

(Reason - to ensure that a suitable and convenient pedestrian and cycle link is provided to allow access to existing and future transport routes, services and facilities in the interests of sustainability in accordance with policies D1 (Design and Local Distinctiveness), TC4 (Footpaths, Bridleways and Cycleways), Strategy 9 (Major Development at East Devon's West End) and Strategy 11 (Integrated Transport and Infrastructure Provision at East Devon's West End) of the East Devon Local Plan 2013 to 2031).

7. A Construction and Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include the following matters:
 - 1) Air Quality,
 - 2) Dust,
 - 3) Water Quality,
 - 4) Lighting,
 - 5) Noise and Vibration,
 - 6) Pollution Prevention and Control,
 - 7) Monitoring Arrangements,
 - 8) Construction Traffic Management
 - 9) 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).

8. Prior to the commencement of the development hereby permitted, including any ground/clearance works, a Construction Traffic Management Plan shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways). The measures contained within the agreed Construction Traffic Management Plan will be implemented in full unless otherwise agreed in writing by the local planning authority (in consultation with National Highways). The Construction Traffic Management Plan shall remain in place for the duration of the construction phase.

(Reason: In the interest of the safe and efficient operation of the strategic road network in accordance with policy TC7- Adequacy of Road Network and Site Access of the East Devon Local Plan 2013-2031)

9. The development hereby permitted shall not be brought into use unless and until a comprehensive Travel Plan has been submitted to and approved in writing by the local planning authority (in consultation with National Highways). The Travel Plan shall be prepared in line with prevailing policy and best practice and shall include as a minimum:
- the identification of targets for trip reduction and modal shift;
 - the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of users with limited mobility requirements;
 - the timetable/phasing of the implementation of the Travel Plan measures and its operation thereafter;
 - the mechanisms for monitoring and review;
 - the mechanisms for reporting;
 - the remedial measures to be applied in the event that targets are not met;
 - mechanisms to secure variations to the Travel Plan following monitoring and reviews.

(Reason: in the interest of the safe and efficient operation of the strategic road network and to encourage sustainable modes of transport in accordance with Strategy 5B- Sustainable Transport and policy TC7- Adequacy of Road Network and Site Access of the East Devon Local Plan 2013-2031)

10. As part of any reserved matters application, a detailed site waste management plan for the operational stage of the development 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).

11. The landscaping scheme to be submitted as part of the reserved matters application shall include:

a) A full set of hard landscape details for proposed walls, fencing, retaining structures, pavings and edgings, site furniture, bin and cycle storage and signage.

b) Details of locations, heights and specifications of proposed free standing and wall mounted external lighting including means of control and intended hours of operation including lux levels plan.

c) A site levels plan indicating existing and proposed levels based on an accurate topographic survey and showing the extent of earthworks and any retaining walls. This shall be accompanied by at least one north-south and two east west sections through the site at a scale of 1:200 or greater clearly showing existing and proposed ground level profiles across the site and relationship to surroundings.

d) A full set of soft landscape details including:

- i) Planting plan(s) showing locations, species and number of new tree, shrub and herbaceous planting, type and extent of new amenity/ species rich grass areas, existing vegetation to be retained and removed.
- ii) Plant schedule indicating the species, form, size, numbers and density of proposed planting.
- iii) Soft landscape specification covering soil quality, depth, cultivation and amelioration; planting, sowing and turfing; mulching and means of plant support and protection during establishment period together with a 5 year maintenance schedule.
- iv) Tree pit and tree staking/ guying details including details for extended soil volume under paving where necessary for trees within/ adjacent to hard paving.
- e) Measures for protection of existing perimeter trees/ undisturbed ground during construction phase in accordance with BS5837: 2012. Approved protective measures shall be implemented prior to commencement of construction and maintained in sound condition for the duration of the works.

The works shall be executed in accordance with the approved drawings and details and shall be completed prior to first use of the proposed buildings with the exception of planting which shall be completed no later than the first planting season following first use. Any new planting or grass areas which fail to make satisfactory growth or dies within five years following completion of the development shall be replaced with plants of similar size and species to the satisfaction of the LPA.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 4 (Balanced Communities), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) of the East Devon Local Plan 2013-2031.)

12. The first reserved matters application to be submitted shall be accompanied by a Landscape and Ecology Management Plan (LEMP) for a minimum period of 20 years which should include the following details:

- Extent, ownership and responsibilities for management and maintenance.
- Details of how the management and maintenance of habitats, open space and associated features will be funded for the life of the development.
- A description and evaluation of landscape and ecological features to be created/ managed and any site constraints that might influence management.
- Landscape and ecological aims and objectives for the site.
- Detailed maintenance works schedules covering regular cyclical work and less regular/ occasional works in relation to:
 - Existing trees, woodland and hedgerows.
 - New trees, woodland areas, hedges and amenity planting areas.
 - Grass and wildflower areas.
 - Biodiversity features - hibernaculae, bat/ bird boxes etc.
 - Boundary structures, drainage swales, water bodies and other infrastructure/ facilities within public/ communal areas.

- Arrangements for Inspection and monitoring of the site and maintenance practices.
- Arrangements for periodic review of the plan.
- Management, maintenance, inspection and monitoring shall be carried out in accordance with the approved plan.

The works shall be executed in accordance with the approved drawings and details and shall be completed prior to first use of the proposed buildings with the exception of planting which shall be completed no later than the first planting season following first use. Any new planting or grass areas which fail to make satisfactory growth or dies within five years following completion of the development shall be replaced with plants of similar size and species to the satisfaction of the LPA.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness), Policy D2 (Landscape Requirements) and Policy D3 (Trees in relation to development) of the East Devon Local Plan. The landscaping scheme is required to be approved before development starts to ensure that it properly integrates into the development from an early stage.)

13. As part of the first reserved matters application, the following drainage information shall be submitted:
- (a) A detailed drainage design based upon the approved Flood Risk & Drainage Assessment For The Proposed Development At Exeter Gateway Tithebarn, 18.04.105 dated November 2021.
 - (b) Detailed proposals for the management of surface water and silt run-off from the site during construction of the development hereby permitted.
 - (c) Proposals for the adoption and maintenance of the permanent surface water drainage system.
 - (d) A plan indicating how exceedance flows will be safely managed at the site.
 - (e) Evidence there is agreement in principle from to connect into the local sewer network.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (e) above.

(Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG and policy EN22- Surface Water Implications of New Development of the East Devon Local Plan 2013-2031).

14. The development hereby approved shall be carried out in accordance with the ecological mitigation and compensation measures contained within the Updated Ecological Appraisal prepared by Devon Wildlife Consultants ref report no 18/3456.01 rev 01. In addition to the recommendations and measures contained with the ecological report, the first reserved matters

application shall also include the following bio-diversity and habitat gain measures:

- An increase in the number of proposed bird boxes from 6 across the whole site, to 8 integrated swift boxes per building, to be positioned in suitable locations in accordance with best practice guidance.
- A sensitive lighting plan to ensure protection of retained biodiversity features. 0.5 lux at retained habitats and adjacent greenspace/wildlife areas, to maximise ecological functionality.
- Details of hibernacula/brash piles in retained hedgerows.
- Detail of native vegetation to the north (including within the settlement pond), east and south, to maximise the biodiversity value of retained and proposed habitat features.
- Reptile mitigation and enhancement plan within retained/created habitats.

(In the interests of ecology and biodiversity in accordance with policy EN5-Wildlife Habitats and Features of the East Devon Local Plan 2013-2031).

15. As part of the reserved matters application for each phase of development, details for the provision of car parking at a ratio of no more than 1 space per 29 sqm Gross Internal Area shall be provided.
(Reason: To ensure that adequate car parking facilities are provided for the development at a ratio that still encourages other more sustainable modes of travel to meet the provisions of Strategies 3- Sustainable Development and 5B- Sustainable Transport of the Local Plan which collectively seek to ensure new development contributes to the objectives of promoting and securing sustainable modes of travel and transport, enhance cycling and walking opportunities to link sustainable movement networks and secure attractive layouts with safe and convenient access).
16. As part of any reserved matters application, details of electric vehicle charging points and secure cycle parking facilities to serve the development shall be submitted. The charging points and cycle parking facilities as approved shall be provided prior to first use of the relevant phase of development and shall thereafter be retained and maintained for such purposes at all times.
(Reason: To ensure the development is accessible by a variety of modes of transport in the interests of sustainability in accordance with Strategy 5B- Sustainable Transport and policies TC2- Accessibility of New Development and TC9- Parking Provision in New Development of the Adopted East Devon Local Plan 2013-2031)
17. Before development above foundation level is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(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 Adopted East Devon Local Plan 2013-2031.)

18. 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 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 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).
19. 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).
20. The details to be submitted as part of any reserved matters application shall include details of the walls and/or fences to be erected 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.)
21. 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).

22. The development hereby approved shall be connected to the Decentralised Energy Network in the locality. The buildings shall be constructed so that the internal systems for space and water heating are connected to the decentralised energy network prior to their first occupation for their permitted use.

(Reason: In the interests of sustainable development in accordance with Strategy 38 (Sustainable Design and Construction) and Strategy 40 (Decentralised Energy Network) of the adopted East Devon Local Plan 2013-2031).

NOTE FOR APPLICANT

Informative: Confirmation - No CIL Liability

This Informative confirms that this development is not liable to a CIL charge.

Any queries regarding CIL, please telephone 01395 571585 or email cil@eastdevon.gov.uk.

Plans relating to this application:

16061 L 01.01 J	Location Plan	16.12.21
tree survey	Arboriculturist Report	02.12.21
18/3456.01REV01	Ecological Assessment	02.12.21
FRA+drainage assessment rev 02	Flood Risk Assessment	06.05.22

List of Background Papers

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