

LAND AT SANDROCK, EXETER

PLANNING STATEMENT

PREPARED FOR  
LINDEN HOMES

AUGUST 2017



**PCL Planning Ltd** 1<sup>st</sup> Floor, 3 Silverdown Office Park, Fair Oak Close,  
Clyst Honiton, Exeter, Devon, EX5 2UX United Kingdom  
t: + 44 (0)1392 363812  
f: + 44 (0)1392 262805  
w: [www.pclplanning.co.uk](http://www.pclplanning.co.uk)

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## **1.0 Introduction**

- 1.1 This Planning Statement has been prepared on behalf of Linden Homes to support a full planning application for the re-plan of approval ref. 12/0854/01 and 14/1714/02 for the erection of 61 dwellings with associated public open space, infrastructure and landscaping on land at Sandrock, Exeter.
- 1.2 The application seeks to make minor modifications to the previously approved application and to enhance the elevational character of the proposed houses.
- 1.3 This Statement should be read in conjunction with all of the supporting material and drawings identified in the covering letter, in particular the Design and Access Statement (DAS) prepared by Dunn Marino.

## **2.0 Site Description**

- 2.1 The site extends to 2.18ha and is located on the eastern side of Exeter, approximately 7km from the city centre and close to Junction 29 of the M5 motorway.
- 2.2 The site is partially occupied by a former nursery and houses a number of single storey and greenhouse buildings. Following a period of vacancy the site has become overgrown. The main access onto the site is currently via Gypsy Hill Lane.
- 2.3 The site is bound to the south by Gypsy Hill Lane, to the west by Pinn Lane and to the north by the Tithebarn link road. Adjoining the site to the east and south-east lie an informal footpath and Gypsy Hill Hotel. Further east lies the M5 motorway and farmland beyond.
- 2.4 The site is situated on the northern slope of a valley which runs down to Monkerton. The site as a whole is mostly sloping with a section on the southern edge abutting Gypsy Hill Lane forming a flat plateau. The site falls 11m from 48m above OD in the north west corner of the site to 37m in the south east corner.

### **3.0 Relevant Planning History**

#### **Application Site**

- 3.1 Outline planning consent (ref. 12/0854/01) was approved on 25<sup>th</sup> November 2013 for:

*"Erection of up to 62 dwellings with associated public open space, infrastructure and landscaping (all matters reserved for future consideration)"*

- 3.2 Reserved matters consent (ref. 14/1714/02) was approved on 4<sup>th</sup> December 2014 for:

*"The erection of 57 dwellings, vehicular access from Pinn Lane, associated roads, parking and provision of public open space"*

## **4.0 The Development Plan**

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be taken in accordance with the Development Plan (DP) unless other material consideration indicate otherwise. The DP in this case comprises:

- Exeter Core Strategy (adopted February 2012)
- Saved policies of the Exeter Local Plan First Review 1995-2011 (adopted March 2005)

### **Exeter Core Strategy 2006-2026**

4.2 The site is located within the Monkerton/Hill Barton area which is identified in policy CP19 as a strategic allocation for around 2,500 dwellings, 5ha of employment land and associated infrastructure.

4.3 Policy CP1 (Spatial Approach) of the Exeter Core Strategy identifies that over the plan period, to 2026, provision should be made for at least 12,000 dwellings. This equates to an annual requirement of 600 dwellings per annum. In terms of the spatial distribution of such dwellings, Policy CP1 identifies that in the 'rest of the city area' (i.e. those areas outside of the planned urban extensions) around 1,800 dwellings should be provided. This policy is out-of-date as the Council are currently unable to demonstrate a five year housing land supply (see paragraph 5.8 of this statement).

4.4 Policy CP3 (Housing) provides further detail in respect of the proposed distribution of dwellings. This policy is relevant to the supply of housing and is also out-of-date in light of the Council's housing supply position.

4.5 Policy CP7 states that affordable housing provision of 35% of total housing provision should be provided as affordable housing for households whose housing needs are not met by the market but that the overall percentage of affordable housing and tenure split will be subject to considerations of viability and feasibility.

- 4.6 Policy CP12 (Flood Risk) protects against the development of sites at risk of flooding in accordance with national policy guidance. The policy requires that all development proposals must mitigate against flood risk by utilising SUDS where feasible and practical
- 4.7 Policy CP15 (Sustainable Construction) requires development to be resilient to climate change, optimise energy and water efficiency through appropriate design and utilise technologies that reduce carbon emissions.
- 4.8 Policy CP16 (Green Infrastructure) states that green infrastructure will be an integral part of planning for urban extensions and that new multifunctional areas of green space and green corridors will be created to meet the needs of these new communities and that a sustainable movement network will link the urban area to the urban extensions and to the countryside beyond.
- 4.9 Policy CP17 (Design and Local Distinctiveness) states that all proposals for development will exhibit a high standard of sustainable design that is resilient to climate change and complements or enhances local character, identity and cultural diversity. In relation to development at Monkerton/Hill Barton, the policy states that amongst other criteria, development should employ high quality design, reinforce the east-west ridgeline, integrates green lanes, hedgerows and trees and provide open space, retain and enhance biodiversity and create a safe and secure environment that encourages social interaction and inclusion and promotes healthy living and sense of well-being.
- 4.10 Policy CP18 (Infrastructure) states that new development must be supported by appropriate infrastructure that is provided in a timely manner.

#### **Saved policies of the Exeter Local Plan First Review (1995-2011)**

- 4.11 Under the transitional arrangements for the replacement of local plans with Local Development Frameworks (LDFs), the majority of policies from this

plan have been saved, apart from those policies (H6 and CS9) that have since been replaced by the Exeter Core Strategy.

4.12 The following saved policies are considered to be of relevance to the proposals:

- H3 - Housing sites
- H5 – Diversity of housing
- H7 – Housing for disabled people
- T1 – Hierarchy of modes
- T2 – Accessibility criteria
- T3 – Encouraging use of sustainable modes
- EN4 – Flood risk
- T10 – Car parking standards
- DG1 – Objectives of urban design
- DG4 – Residential layout and amenity
- DG5 – Provision of open space and children’s play areas
- DG6 – Vehicle circulation and car parking in residential development
- DG7 – Crime prevention and safety

4.8 The proposal is considered to be consistent with the above stated policies, as set out in Section 6 of this Statement.

## 5.0 Other Material Considerations

### The National Planning Policy Framework (2012)

5.1 The Framework sets out the Government's planning principles and policies for England and how these are expected to be applied.

5.2 The Framework recognises that there are three dimensions to sustainable development, economic, social and environmental (paragraph 7) and that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system (paragraph 8).

5.3 Paragraph 49 of the Framework states that:

*"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites."*

5.4 Paragraph 14 of the Framework states that for decision-taking, the presumption in favour of sustainable development means:

*"Approving decisions that accord with the development plan without delay; and*

*where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless;*

- o any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- o specific policies in this Framework indicate development should be restricted."* (own emphasis)

5.5 No 'footnote 9' policies are infringed by this proposal (paragraph 14 of the Framework)

5.6 Paragraph 56 of the Framework states that the Government attaches great importance to the design of the built environment and is a key aspect of sustainable development and should contribute positively to making places better for people.

5.7 Paragraph 58 of the document aims to ensure that development will, amongst others:

- function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodation development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments);
- respond to local character and history and reflect the identity of local surroundings and materials;
- create safe and accessible environments; and
- are visually attractive as a result of good architecture and appropriate landscaping.

### **Housing Land Supply**

5.8 The Council is unable to demonstrate a five-year housing land supply. This has been established through a recent appeal decision relating to land at Exeter Road, Topsham (ref. 3005030, dated 27<sup>th</sup> April 2016). The Inspector found that:

- *"There is a serious shortfall in the Council's 5 year housing land supply" (paragraph 14)*
- *"It is government policy to boost the supply of housing and the National Planning Policy Framework states that housing applications should be considered in the context of the*

*presumption in favour of sustainable development.” (paragraph 19)*

- *“The proposed development would provide a significant amount of housing that would help in part to address the serious shortfall in Exeter’s housing land supply. This should be given great weight.” (paragraph 20)*

5.9 As a result of the above, relevant DP policies for the supply of housing in Exeter are out-of-date having regards to paragraph 49 of the Framework and planning applications should be considered in accordance with paragraph 14 of the Framework.

### **Supplementary Planning Documents**

5.10 The Council have a number of Supplementary Planning Documents (SPDs) which provide guidance on a number of items including Affordable Housing (adopted September 2010), Planning Obligations (April 2014), Public Open Space (September 2005) and Residential Design (September 2010).

## **6.0 Development Considerations**

6.1 This section of the statement provides an overview of the key matters associated with determining the acceptability of the proposed development.

### **Principle of Development**

6.2 The site is allocated for development in the Core Strategy and planning permission has previously been granted for residential development of the site (as set out at Section 3 of this Statement). This application is a re-plan of the previously approved scheme. The principle of development has therefore already been established.

6.3 The Council are currently unable to demonstrate a five-year housing land supply. As has been determined by the recent appeal Inspector at Exeter Road, Topsham (see section 3 of this statement) the Council has a serious shortfall in its housing supply and therefore sites need to be brought forward at the earliest opportunity.

6.4 The Framework indicates that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

6.5 The proposals would provide a total of 61 dwellings, including 14 affordable units, which is equivalent to the provision previously approved on the site by the Council. The proposed development would make a significant contribution towards much needed market and affordable housing and this is a significant material consideration which weighs heavily in favour of the scheme.

### **Access and Transport**

6.6 Vehicular access to the site is proposed off Pinn Lane, as per the previous application which was considered acceptable by the Highways Authority. The access is designed to meet modern standards and will provide

appropriate vehicular access into the development. Full details of the proposed access and internal highway arrangement is shown on the submitted Highways Layout Plan and should be read alongside Highways Cross Section and Construction Details.

- 6.7 The site's internal roads have been designed to fit with the local landscape and would provide appropriate carriageway widths and visibility distances. Shared surfaces and traffic calming measures support a pedestrian friendly environment connecting residents through the development to the proposed open space. The general aim has been to create a development based upon the principle of a walkable neighbourhood through maximising pedestrian and cycle access into and through the site.
- 6.8 The Transport Assessment for the site concludes that the site is within easy access of Pinhoe and other local centres, allowing trips to be made by foot and bicycle to local amenities. The proposed development will generate a low level of trips and will have a negligible impact on the local highway network.
- 6.9 Car parking spaces will be provided on site in accordance with Council's parking standards. The low density nature of the development will allow parking provision to be generally on plot, with the majority of properties benefitting from a private garage.
- 6.10 The proposed development is compliant with the NPPF, NPPG and with MfS/MfS2. It is considered that the proposed development is acceptable in respect of highways/ transport and will not cause a 'severe' impact on the local road network. The proposals comply with saved policies T1, T2, T3 and T10 of the Local Plan.

## **Design**

- 6.11 The application is accompanied by a Design and Access Statement (DAS) prepared by Dunn Marino. The DAS sets out the design ethos for the site and explains how the design has evolved taking account of the site's

opportunities and constraints. The proposed layout has sought to make efficient use of the site, working with the topography and reflecting local character.

- 6.12 The application seeks to make minor modifications to the previously approved proposals to enable a more sympathetic solution to the slope of the site through the use of split level houses and the reduction of retaining walls to a domestic scale. Building exteriors have also been reviewed and include a more comprehensive mix of red brick buildings and white render and brickworks, which is a modern twist on the traditional brickwork found within Pinhoe and wider Exeter. The development would comprise a well-contained development of high quality and sympathetic design, set within a robust landscape framework. The proposed development has fully taken into account relevant design policies of the Development Plan.

### **Ecology and Nature Conservation**

- 6.13 A Preliminary Ecological Appraisal (PEA) of the site have been prepared to assess the site's habitat suitability to support ecology in accordance with relevant methodology.
- 6.14 The report identifies that the site is not located within or adjacent to any statutory or non-statutory sites of importance for nature conservation. The appraisal has identified the existing hedgerows as the greatest ecological value on site, which will largely be retained by the proposals.
- 6.15 The assessment has identified that dormice and badgers are present on site and there is potential for the site to support commoner species of reptile such as slow worm, nesting birds and hedgehog. The assessment recommends that the existing dormouse development licence for the site is updated to cover additional vegetation clearance and the badger sett is closed under a Natural England development licence.
- 6.16 In accordance with the recommendations of the PEA, reptile surveys have been undertaken and a Reptile Mitigation Strategy has been prepared and

is also submitted in support of the proposals and includes methods for site clearance, identification of receptor site and outline of post development monitoring.

- 6.17 There are no ecological or nature conservation issues that would preclude development on this site. The development will deliver a net gain in biodiversity.

### **Flood Risk and Foul Drainage**

- 6.18 The site is situated within Flood Zone 1 (lowest probability of flooding) and there is no history of flooding on the site.

- 6.19 A Flood Risk Assessment Addendum has been provided, which follows the previously approved strategy submitted by WYG. The Addendum specifically confirms that the proposals will mirror updates in terms of climate change parameters and latest Devon County Council drainage design requirements in terms of water quality and sustainable drainage regimes whilst also keeping the previously approved principles.

- 6.20 In concluding on flood risk and drainage, there will be no adverse impacts on water, hydrology or drainage. The proposal therefore fully complies with the guidance in the Framework and Core Strategy policy CP12.

### **Arboriculture**

- 6.21 A Tree Survey and Tree Protection Plan has previously been prepared for the site and is submitted in support of the proposals. The Tree Survey confirms that the site contains an assortment of trees which are mainly quite young. The Tree Survey advises that Norway Spruce and Leylandii in particular are not appropriate for retention within the residential layout.
- 6.22 As per the previous application, the proposed development would retain existing hedgerows and the birch trees, which together with proposed tree

planting will create an attractive rural landscape setting for on-looking residents.

### **Geo-environmental**

- 6.23 A Phase 1 Desk Study Study and Phase 2 Preliminary Intrusive Investigation Report has been provided for the site. The desk study includes the review of available sources of information including historic mapping and an EnviroCheck report to ascertain previous and existing site and surrounding land use. The information suggests the site has never previously been developed other than to its use as a plant nursery. Surrounding land use in the immediate vicinity of the site records little industrial activity that could have impacted on the site. Chemical analysis shows potential contaminant levels are within guideline values for residential development.

### **Noise**

- 6.24 A Noise Survey has been undertaken and found that existing ambient noise levels around the site are dominated by vehicles using the M5 and Pinn Lane. Noise from occasional aircraft movements using Exeter International Airport were also observed.
- 6.25 In terms of internal noise levels, recommended WHO/BS 8233 levels are generally met across the site during daytime and night-time and double glazing is sufficient across the majority of the site. However certain northern facades along the new Tithe Barn link road are predicted to exceed the relevant criteria. Enhanced glazing is required for properties towards the northern boundary with the link road in order to meet internal targets for noise levels. All private external amenity areas receptors are below upper limit criteria levels.

## **7.0 Developer Contributions**

7.1 Section 106 contributions towards infrastructure must satisfy the tests as previously set out in Circular 05/05 and the CIL Amendment Regulations 2015. Specifically, requests must be:

- Necessary to make the development acceptable
- Directly related to the development
- Fair and reasonably related in scale and kind of development

7.2 This application represents a re-plan of the previously approved scheme. The application would provide an equivalent level of affordable housing to that previously approved at the site.

7.3 Exeter City Council is a CIL charging authority. Section 106 contributions can only be sought on items directly related to a specific site and which are not set out in the Council's regulation 123 list. Should lawful contributions be identified, then the applicants will make provision for these by way of a legal agreement.

## **8.0 Planning Balance and Conclusion**

- 8.1 The application site is an allocated site for residential development in the Development Plan. Planning permission has previously been granted at the site and the principle of residential development is therefore already established.
- 8.2 The application represents a re-plan of the site and makes the more effective and efficient use of the site and would enable the delivery of much needed housing in the city.
- 8.3 The Council are unable to demonstrate a five-year supply of housing land and there is a significant housing need. The delivery of much needed market and affordable housing is a significant material consideration weighing in favour of the proposals.
- 8.4 There are no adverse impacts of the proposals that would be sufficient to significantly and demonstrably outweigh the benefits of the proposals, principally the delivery of new housing, the economic benefits associated with housebuilding and biodiversity enhancements.
- 8.5 For the reasons set out above, planning permission should therefore be granted.