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**WALSINGHAM PLANNING**

SPECIALIST PLANNING & DEVELOPMENT CONSULTANTS

# Planning Statement

Land off Pendragon Road, Exeter

On behalf of Land Promotion Group Ltd

DECEMBER 2020

**Walsingham Planning**

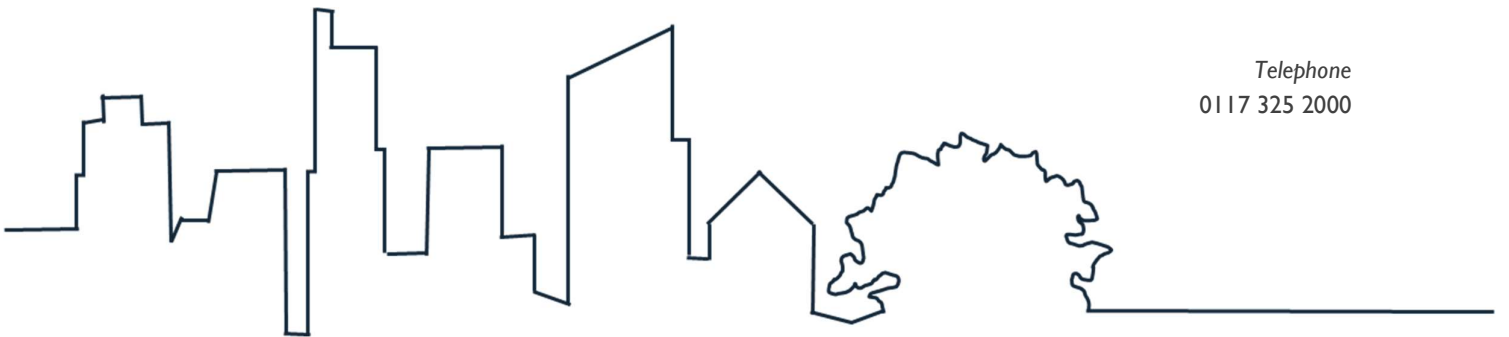
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## **APPENDICES**

AFFORDABLE HOUSING STATEMENT  
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# I INTRODUCTION

- 1.1 This statement has been prepared by Walsingham Planning (WP), on behalf of Land Promotion Group Ltd (the Applicant), to support an outline planning application for residential development at Land off Pendragon Road, Exeter. The application seeks permission for the construction of up to 100 dwellings, with all matters reserved for future determination, with the exception of access.
- 1.2 The following sections provide an overview of the application site, a description of the proposed development, an outline of the relevant planning history and planning policy, and the justification for the proposals in the context of S38(6) of the Planning and Compulsory Purchase Act 2004. Further information is provided in other supporting documents submitted with this application.
- 1.3 Overall, this Statement, along with the other supporting documents that accompany the planning application, demonstrates that the proposals accord with relevant planning policy are appropriate for the area and address any potential technical issues which could arise as a result of development proceeding.

## 2 SITE AND SURROUNDING AREA

### The Site

- 2.1 The application site comprises of undeveloped land extending to an area of approximately 4.9 hectares located off Pendragon Road to the West of Exeter (GR: Easting 293941, Northing 094839).
- 2.2 The site includes two undeveloped fields separated by hedgerow and trees and is immediately adjacent to the urban boundary of Exeter. The site is situated on a southeast-facing slope.
- 2.3 The site boundary is lined with hedgerow and trees, which separates the site from open grassland to the north, east and west. All boundaries currently feature hedge banks and to the South the site is adjacent to existing residential development by Pendragon Road. The site is currently mainly in agricultural use for grazing.
- 2.4 Vehicular access to the site is currently taken from the southern boundary.
- 2.5 The boundary of the site is shown edged red on the Site Location Plan submitted with the outline planning application.

### Surrounding Area

- 2.6 As set out the site lies to the west of Exeter, with existing residential development adjacent to the South. Surrounding the rest of site is agricultural land.
- 2.7 The site is located less than 2.5km from the local centres of Whipton, Stoke Hill, and Pinhoe. It is also approximately 3.5km from the city centre of Exeter.
- 2.8 The site is within walking distance of a number of local services and amenities, including shops, schools, community facilities, places of worship and sports and health facilities. The approximate distance to some of these are listed below:
  - Willowbrook Primary School - 0.7 miles
  - The Beacon Community Centre – 0.5 miles
  - Lancelot Road Play Area – 0.3 miles
  - Northbrook Swimming Pool – 0.5 miles
  - Mincinglake Valley Park – 0.1 miles
  - Morrisons supermarket – 0.9 miles

- Spar Beacon Lane – 0.5 miles
- Isca Centre Gym – 1.1 miles
- Arena Park Play Area – 0.7 miles
- Beacon Heath Church – 0.4 miles
- Whipton Barton Junior School – 1.3 miles
- Whipton Surgery – 1 mile
- Exeter Community Hospital – 1.6 miles
- Day Lewis Pharmacy – 1 mile
- Whipton Sub Post Office – 1.1 miles
- St James School – 0.6 miles
- St Luke's Church of England School – 1.6 miles
- The Devon Yeoman – 0.4 miles
- Exeter College Technology Centre – 2.1 miles

2.9 The site is located close to bus stops on Pendragon Road, Merlin Crescent, Savoy Hill and Tristan Close all within 1 mile. Polsloe Bridge train station is approximately 1.1 miles away and accommodates all major Great Western Railway services. The station is directly accessible by bus.

### **Planning Designations**

2.10 According to the Flood Risk Assessment submitted in support of this application the site is wholly located within Flood zone 1, therefore, a Sequential Test is not required for development in this location. The site is located within a landscape setting designation and there is a Valley Park to the west (Mincinglake Valley Park). The site does not lie or is not adjacent to an Area of Outstanding Natural Beauty or Conservation Area and there are no PRoWs crossing the site. The nearest Listed Building is over 1km to the east (Heath Barton, Grade II Listed).

### 3 RELEVANT PLANNING HISTORY

#### Planning Applications

- 3.1 The application site is located within the administrative area of Exeter City Council. According to the Council's website there are no recent relevant planning applications related to the site. The following relevant applications submitted near to the site in recent years:

#### Land Off Spruce Close and Celia Crescent Exeter

- 3.2 An outline planning permission was submitted on the 22<sup>nd</sup> May 2020 for the following application:

*Outline application for up to 105 residential dwellings (Approval sought for details of access only, with scale, layout, appearance and landscaping all reserved for future consideration).*

#### Housing and Economic Land Availability Assessment (HELAA)

- 3.3 A Call for Sites for the Greater Exeter area ran from 27<sup>th</sup> February to 10<sup>th</sup> April 2017, for which the site was submitted for consideration.
- 3.4 A HELAA was anticipated to be published alongside the Greater Exeter Strategic Plan Draft Policies and Site Options consultation document in September. However, in light of the decision taken by East Devon District Council to withdraw from the Greater Exeter Strategic Plan, and by Mid Devon District Council to commit to prepare a revised joint plan, the Draft Policy and Site Options consultation in September did not take place.
- 3.5 A Call for Sites for the Exeter City Council area is currently running from the 16<sup>th</sup> November 2020 to the 4<sup>th</sup> January 2021, to which the site has been submitted for consideration.

## **4 THE PROPOSED DEVELOPMENT**

- 4.1 The proposals seek outline planning permission for residential development comprising 100 dwellings and associated infrastructure. All matters are reserved for future consideration with the exception of access, details of which form part of the application.
- 4.2 The application is supported by an Illustrative Masterplan which shows how a scheme of up to 100 dwellings, with a mix of type and tenure, ranging in size from 2 to 4-bedroom houses with gardens and associated parking, could be developed.
- 4.3 In accordance with Core Policy CP7 of the Adopted Core Strategy the application also includes provision for 35% affordable housing (i.e. 35 units based on a scheme of 100 units).
- 4.4 The proposals include two main vehicular accesses to the site which will be taken from Pendragon Road on the southern boundary of the site which includes a footpath connecting the site to the existing residential development to the South.
- 4.5 Another pedestrian access could be achieved in the centre of the southern boundary and a further additional pedestrian access could be achieved to the northern boundary, as shown on the submitted illustrative masterplan. Further details of the access proposals are contained within the Transport Statement submitted in support of the planning application.
- 4.6 While the internal road layout is reserved for future determination the Illustrative Masterplan demonstrates how internal access to individual plots could be achieved.
- 4.7 The Illustrative Masterplan also includes areas of open space, additional planting and retention of existing trees and hedgerow where possible. The Illustrative Masterplan also includes appropriate offsets from the area of woods and existing residential development.
- 4.8 Further information on the proposals is provided in the Design and Access Statement submitted with this application.

## 5 PLANNING POLICY CONTEXT

### (A) NATIONAL PLANNING POLICY GUIDANCE

#### **National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)**

- 5.1 The National Planning Policy Framework (the Framework) was published in March 2012 and replaces the majority of Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs).
- 5.2 A revision of the Framework was published on 24th July 2018 implementing around 85 reforms announced previously through the Housing White Paper, the planning for the right homes in the right places consultation and the draft revised National Planning Policy Framework consultation.
- 5.3 On 19th February 2019, the revised Framework was updated following consultation to update planning practice guidance on housing need assessment to be consistent with the Government's ambitions for increasing housing supply. The consultation also proposed clarifications to national planning policy on, Housing Land Supply, the definition of "deliverable" and appropriate assessment for habitats sites.
- 5.4 The revised Framework was updated again on 19th June 2019 to remove Paragraph 209a following a legal judgement.
- 5.5 National Planning Policy Guidance (PPG) was published in March 2014 and supplements the Framework and replaces previous forms of guidance.
- 5.6 The Framework is a material consideration in planning decisions and places the key emphasis on achieving sustainable development. At paragraph 8 it identifies the three dimensions to this objective:
- *'a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
  - *b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with*



*accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

- *c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'*

5.7 In respect of implementation paragraph 11 advises that plans and decisions should apply a presumption in favour of sustainable development. It advises that for decision-taking this means:

*“c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed, or*

*ii. 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.”*

5.8 This is reiterated in the NPPG which states that:

*‘Where a proposal accords with an up-to-date development plan it should be approved without delay.’*

(Paragraph: 006, Reference ID: 21b-006-20140306)

5.9 Section 6 of the Framework relates to building a strong, competitive economy. Paragraph 80 states:

*“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas*

*with high levels of productivity, which should be able to capitalise on their performance and potential.”*

**(B) DEVELOPMENT PLAN**

- 5.10 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine applications in accordance with the Development Plan unless material planning considerations indicate otherwise.
- 5.11 For the purposes of this application the Development Plan for the Site comprises the Exeter City Council Core Strategy 2012-2026 adopted in February 2012 and the saved policies from the Exeter Local Plan First Review. The development plan is supported by a number of Supplementary Planning Documents including the Residential Design Guide (adopted 2010) and Affordable Housing SPD (adopted April 2014).
- 5.12 In accordance with paragraph 33 and footnote of the NPPF policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years. As the current local plan was adopted in 2012 it carries reduced weight in making planning decision.

**Local Plan Review 1995-2011**

- 5.13 The Local Plan First Review 1995-2011 was adopted on 31st March 2005. Under the Planning and Compulsory Purchase Act 2004, the Exeter Local Plan First Review policies were saved for 3 years from the date the plan was adopted (until 31st March 2008). The Secretary of State later confirmed that the majority of the Local Plan First Review policies will be saved until they are replaced by policies in the Local Development Framework.
- 5.14 The following saved policies are considered relevant to the application proposals:
- Saved Policy DG1: Objectives of Urban Design
  - Saved Policy DG2: Energy Conservation
  - Saved Policy DG4: Residential Layout and Amenity
  - Saved Policy DG5: Provision of Open Space and Children’s Play Area
  - Saved Policy DG6: Vehicle Circulation and Car Parking in Residential Development
  - Saved Policy DG7: Crime Prevention and Safety
  - Saved Policy T3: Encouraging Use of Sustainable Modes
  - Saved Policy T10: Car Parking Standards

- Saved Policy LS1: Landscape Setting
- Saved Policy LS2: Ramsar/Special Protection Area
- Saved Policy LS3: Sites of Special Scientific Interest
- Saved Policy LS4: Local Nature Conservation Designation/RIGS
- Saved Policy H5: Diversity of Housing
- Saved Policy LI: Valley Parks

### **Exeter Core Strategy 2012-2026**

5.15 The Core Strategy was formally adopted on the 21<sup>st</sup> February 2012 and sets out the spatial objectives and strategic policies to guide development for the City up to 2026.

5.16 The following policies are considered relevant to the application proposals:

- Core Strategy Policy CPI: Spatial Strategy
- Core Strategy Policy CP3: Housing
- Core Strategy Policy CP4: Density
- Core Strategy Policy CP5: The supply of housing should meet the needs of all members of the community
- Core Strategy Policy CP7: Affordable Housing
- Core Strategy Policy CP9: Transport
- Core Strategy Policy CPI 1: Pollution
- Core Strategy Policy CPI2: Flood Risk
- Core Strategy Policy CPI3: Decentralised Energy Network
- Core Strategy Policy CPI5: Sustainable design
- Core Strategy Policy CPI4: Renewable and Low Carbon Energy
- Core Strategy Policy CPI7: Design and Local Distinctiveness
- Core Strategy Policy CPI8: CIL Charging

5.17 In addition and following the recommendation of the Inspector, the Council also adopted a revised Development Delivery Policy Statement (DDPS) on the 26th November 2013 which sets out the actions City Development would take to deal with any shortfall in the provision of a five year housing land supply.

5.18 Policy 2 of the Development Delivery Policy Statement sets out that the Council will take a pro-active approach to delivering sustainable housing development. It states:

*“The Council will engage pro-actively with landowners and developers with a view to promoting appropriate housing development and delivering homes at the earliest opportunity.”*

5.19 Policy 5 of the Development Delivery Policy Statement sets out how the Council has made the fast tracking of proposals for housing development an explicit priority. It states:

*“The Council will ‘fast track’ proposals for housing development by:*

- *Ensuring planning officers are available to deal promptly with pre-application requests concerning major housing development and providing advice drawing on all necessary expertise.*
- *For major applications, offering applicants/agents the opportunity to make a formal presentation to the Planning Member Working Group prior to submission to enable any potential issues to be identified at an early stage.*
- *Prioritising the processing of such applications and ensuring applicants/agents are kept fully informed as to the progress on their application.*
- *Putting all such applications before the first available Planning Committee following conclusion of the statutory consultation period and the resolution of issues central to the development.*
- *Where appropriate, providing a draft section 106 agreement to applicants at the earliest possible stage and ensuring that legal advice is available to progress the agreement and offer guidance throughout the process.*
- *Ensuring that following the grant of consent planning conditions are dealt with in an expeditious manner.”*

## (C) EMERGING PLANNING POLICY

### **Development Delivery DPD**

5.20 The Council initially published a Development Delivery DPD in July 2015. The Document sets out land designations and allocates land for new development. Once adopted, it will supersede the saved policies within the Exeter Local Plan Review.

5.21 A Call for Sites for the Exeter City Council area is currently running from the 16th November 2020 to the 4th January 2021, to which the site has been submitted for consideration.

### **Greater Exeter Strategic Plan (GESP)**

- 5.22 Exeter City Council in conjunction with the local authorities of East Devon, Mid Devon and Teignbridge along with Devon County Council were preparing the Greater Exeter Strategic Plan in order to provide an overall strategy for the development of the area up to 2040.
- 5.23 However, in light of the decision taken by East Devon District Council to withdraw from the Greater Exeter Strategic Plan, and by Mid Devon District Council to commit to prepare a revised joint plan, the Draft Policy and Site Options consultation in September did not take place. Discussions are ongoing between the partner authorities to consider the options for potential future joint planning work. More information will be provided when it is available.

### **Neighbourhood Plans**

- 5.24 At the time of writing there was no neighbourhood plan being prepared in the site area.

## **(D) OTHER RELEVANT PLANNING DOCUMENTS**

### **Supplementary Planning Documents**

- 5.25 The following additional documents and sections are considered relevant to the application proposals:
- Residential Design Guide SPD (Adopted September 2010)
  - Affordable Housing SPD (Adopted April 2014)
  - The Exeter Sustainable Transport SPD (Adopted March 2013)
  - Public Open Space SPD (Adopted September 2005)

### **Community Infrastructure Levy**

- 5.26 Exeter City Council introduced CIL on 1st December 2013. The latest CIL Charging Schedule sets out the chargeable rates for planning permissions granted in 2020. The rate for permissions granted in 2020 is £119.29 per square meter of new floor space.

## **(E) FIVE YEAR HOUSING LAND SUPPLY**

- 5.27 Paragraph 73 of the NPPF requires local planning authorities to 'identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement.' The Revised 2015 SHLAA for Exeter concluded that the Council area had a five-year housing supply of deliverable sites, in accordance with national guidance. It concluded that there was sufficient deliverable and developable land with

the local authority area to deliver the Core Strategy's target of at least 12,000 new homes between 2006 and 2026.

- 5.28 However, in the latest published City Development Authority Monitoring Report 2015/16 the Council acknowledges an appeal decision<sup>1</sup> which confirmed that the Council could not count student accommodation in its five-year housing land supply, with the Inspector stating, "there is a serious shortfall in the 5 year housing land supply" (see paragraph 5 of the decision).
- 5.29 This position has not changed and there remains an acknowledged shortfall in housing land supply.
- 5.30 In the absence of a recent annual position statement or recently adopted plan, Exeter City Council produced a 5-year land supply calculation for the purposes of a planning appeal in 2018. This is the Council's most recently published 5-year housing land supply position and equates to a housing land supply of just over 2 years and 1 month. This position has been confirmed by recent appeals such as Beech Hill House, St Davids Hill (18/1445/FUL), and Pocombe Orchard (18/1543/OUT) in which the council did not dispute this position.

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<sup>1</sup> Appeal Ref. APP/Y1110/W/15/3005030, Land north of Topsham Road, Topsham, Exeter, EX3 0LX

## 6 JUSTIFICATION FOR PROPOSALS

### (A) PRINCIPLE OF DEVELOPMENT AND COMPLIANCE WITH THE DEVELOPMENT PLAN

#### **Introduction**

- 6.2 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise. As outlined in Section 5 of this statement the Development Plan for the area comprises the Exeter City Council Core Strategy 2012-2026 adopted in February 2012 and the saved policies from the Exeter Local Plan First Review.
- 6.3 This section contains an assessment of the proposal against relevant policies within the Development Plan documents.
- 6.4 Overall, this section considers the following:
- The principle of development.
  - How the site accords with other Development Plan policies.
  - How the proposals represent Sustainable Development and address the three roles set out by the NPPF.
  - Other material considerations which justify the granting of planning permission.

#### **Principle of Residential Development**

- 6.5 As set out in Section 5, Policy CPI of the adopted Core Strategy document sets a target to deliver a 'minimum' of 12,000 dwellings in the plan period (2006 to 2026). Policy CPI sets a target to bring forward of 1800 dwellings over the plan period across the city on not presently allocated sites. It is important to note these targets are expressed as minimum requirements.
- 6.6 The NPPF 2019 indicates that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years supply of housing against their housing requirements set out in adopted strategic policies or against the local housing need where the strategic policies are more than five years old (paragraph 73).
- 6.7 Paragraph 11 sets out the presumption in favour of sustainable development for both plan making and decision taking. Paragraph 11d states:

*'where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date this means granting permission'.*

- 6.8 Footnote 7 clarifies that for application involving housing this includes where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years' then granting permission is expected.
- 6.9 As set out in section 5.5, Exeter City Council's housing position has recently been highlighted as being just over 2 years and 1 month and the Council's local plan was adopted in 2012 therefore paragraph 11d is applied.
- 6.10 The sections below outline how the development accords with the prevailing policies of the Development Plan, including the NPPF 2019 and National Planning Practice Guidance.

#### **Compliance with other policies of the Development Plan**

- 6.11 As set out above the key policy in respect of the application is Policy CPI of the Core Strategy. Nevertheless, there are a number of other policies within the Development Plan documents which are relevant to the site. In order to demonstrate that the proposed development accords with the relevant policies of the Development Plan the application is accompanied by a number of supporting documents. The documents and their main conclusions are summarised below.

#### **Design and Access Statement**

- 6.12 The Design and Access Statement (DAS) which accompanies this planning application describes the process that was followed to ensure a high-quality development that is appropriate to its context can be delivered.
- 6.13 The proposed development responds to the key objectives in the DAS which are summarised below:
- To use land effectively and efficiently.
  - To provide a mix of dwelling types and sizes.
  - To create an attractive built environment.
  - To ensure suitable amenity to adjoining dwellings.
  - To consider nature conservation interests.



- To provide safe and attractive areas of public realm.

6.14 In conclusion, the Design and Access Statement will ensure that the proposed development is of a high design quality in keeping with local architectural vernacular. The proposed development will therefore accord with the NPPF, as well as Core Strategy Policy CP17: Design and Local Distinctiveness of the Exeter Core Strategy 2012-2026.

### **Transport Statement**

6.15 The proposals are supported by a Transport Statement which considered the access and offsite transport implications in relation to the proposed development. The report's conclusions are listed below:

- The data presented in the report concludes that a full range of sustainable transport options (i.e. Walking, Cycling & Public Transport) to access local services and the wider employment areas of Exeter and beyond are fully available and within reasonable travel times.
- Primary & Secondary schools are within a comfortable distance and with excellent pedestrian routes.
- The development will cause a negligible impact on the local highway network.
- No serious off-site safety issues associated with the local highway network in the vicinity of the site have been identified.
- The site is fully acceptable in respect to traffic generation and highways access for the level of development proposed.

6.16 In conclusion, the Transport Statement demonstrates that the proposed development accords with the NPPF, as well as relevant policies in the Development Plan documents.

### **Geo-Environmental Desk Study**

6.17 The Geo-Environmental Desk Study Report that accompanies the planning application summarises findings of geological, historical and environmental desk study information and develops a conceptual model. The report recommends the following:

- Adequate precautions and appropriate personal hygiene and safety protocols should be employed by all construction workers on site at all times.
- Regular inspections should be carried out by ground workers during any excavation work, and advice should be sought in the event that unexpected ground conditions

are encountered. Should any visual or olfactory signs of contamination be found during construction works, soils should be tested and assessed.

- Should further testing and assessment identify areas of unacceptable risk, appropriate remedial measures would need to be implemented. A detailed remediation strategy should be prepared, any remedial works and associated clean-up levels would need to be discussed with and approved by the Regulatory Authorities. Additionally, a Validation Statement would need to be prepared upon completion of any remedial works, detailing the works undertaken and the results of the associated validation testing.

6.18 In conclusion, the Phase I Desk Study Report demonstrates that the proposed development accords with the NPPF, as well as relevant policies in the Development Plan documents.

### **Heritage Statement**

6.19 The Heritage Statement that accompanies this planning application takes into consideration designated heritage assets, non-designated heritage assets and other historic environmental data. The study concluded the following:

*“An initial appraisal of heritage assets has been carried out using the methodology outlined in The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning: 3 (Second Edition). Overall, it is considered unlikely that a residential development within the site would impact the setting or significance of any of the heritage assets within the study area.”*

6.20 In conclusion, the Heritage Statement demonstrated that the proposed development accords with the NPPF and saved Policy C5 of the Local Plan First Review 1995-2011.

### **Section 106 Draft Heads of Terms**

6.21 The Draft Section 106 Heads of Terms document sets out the contributions that are likely to be sought in order to mitigate the impact of the proposed development. The following planning obligations are proposed (and as identified in the pre-application advice), subject to meeting the tests in paragraph 56 of the Framework:

- Provision of affordable housing at 35% of the total number of dwellings proposed.
- Off-site transport works
- Financial contribution for sustainable travel initiative

- Provision of on-site open space and green infrastructure, and mechanism for adoption and payment of commuted sums for future maintenance and / or off-site financial contribution.

6.22 In conclusion, the Section 106 Draft Heads of Terms demonstrates that the proposed development accords with the NPPF, as well as Policy CP18 of the Core Strategy.

6.23 In addition to s106 obligations it is also worth noting that Exeter City Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule, which took effect on 1st December 2013. The CIL allows the Council to raise funds from new building projects undertaken in their area and is governed by the CIL Regulations 2010 (as amended). CIL is charged as a fixed rate per square metre of new floor space created, and the money raised can be used to help fund a wide range of infrastructure that is needed to support development. As the proposals generate new residential floorspace the development will be liable to CIL payments which can be used to improve local infrastructure. In accordance with the 2019 CIL Regulations Exeter City Council last updated their charging schedule on 29th May 2020.

### **Summary**

6.24 The above text demonstrates how the proposals comply with policies in the adopted Local Plan for Exeter. In fact, it has been demonstrated that:

- A high-quality development of up to 100 dwellings can be accommodated on the site (including 35% affordable housing).
- The proposed development will not have an adverse impact on the landscape character of the area.
- The proposed development will not have a material impact on the operation and safety of the local highway network and there are no valid highway or transportation reasons which should prevent the proposed development of the site. The proposed development is acceptable in terms of highway impact.
- The proposed development will not have a significant ecological impact.
- The proposed development will not affect flooding in the area.
- The proposed development would not affect any of the aspects of setting that contribute towards the significance of the designated heritage assets within the study area.

(B) OTHER MATERIAL CONSIDERATIONS

**Five Year Housing Land Supply**

6.25 As set out above it is considered that the application is fully compliant with Policy CPI of the Core Strategy and all other relevant Development Plan policies. Nevertheless, it is important to note that the LPA is currently unable to demonstrate a 5-year housing land supply. This was most recently confirmed by an appeal decision on Land at Pocombe Orchard, tedburn Road, Exeter issued on 22nd November 2019<sup>2</sup>. At paragraph 19 of the appeal decision the Inspector states:

*“The appellant has identified that the Council cannot currently demonstrate a five-year supply of deliverable housing sites, and this has not been disputed.”*

6.26 On this basis the ‘tilted balance’ exercise set out at paragraph 11 of the NPPF is engaged and planning permission for the proposed development should be granted unless there are:

- Adverse impacts that would significantly and demonstrably outweigh the benefits of the development; or
- Specific policies in the NPPF that indicate development should be restricted.

6.27 As stated in the principle of development footnote 7 clarifies that for applications involving housing and where a planning authority cannot demonstrate a five-year supply of deliverable housing sites the ‘tilted balance’ should be applied.

6.28 The technical assessments that are submitted with the application demonstrate that there are no adverse impacts of the proposed development that would significantly or demonstrably outweigh the benefits of the development. Furthermore, there are no specific policies in the NPPF that indicate development should be restricted.

**National Policy**

6.29 As outlined in Section 5 of this statement the NPPF aims to boost significantly the supply of housing and includes a presumption in favour of sustainable development.

6.30 In terms of what is meant by ‘sustainable development’ the NPPF states at paragraph 8 that there are three dimensions to sustainable development (economic, social and environmental)

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<sup>2</sup> Appeal Ref: APP/Y1110/W/19/3232632

that the planning system needs to perform. In summary, the proposals would address these three dimensions as follows:

### **Economic**

- 6.31 The site is in a sustainable location and the proposed development would help to contribute to growth in Exeter by boosting the supply of housing in the local area.
- 6.32 Housing construction supports more jobs compared with investment in many other sectors of the economy because it supports a large amount of related activity. The provision of construction jobs and jobs in associated trades is an important economic consideration and benefit arising from the proposed development.
- 6.33 A further economic benefit is that occupiers of the proposed dwellings will use local services and facilities in Exeter, and this will help to sustain local businesses. This is an important material planning consideration as identified in the Framework (Paragraph 78) and PPG.
- 6.34 Importantly the application proposals will deliver housing to improve choice and competition in the marketplace and support growth, in accordance with paragraph 73 of the Framework. The new housing will also generate New Homes Bonus payments. The considerable positive economic benefit of the proposed development will clearly outweigh any minor disadvantage arising from the loss of agricultural land.

### **Social**

- 6.35 The application proposals will have a major social benefit in terms of the delivery of a mix of new affordable housing to meet identified local needs.
- 6.36 In addition, the proposed dwellings will be well connected to the facilities on offer in the local centre Whipton and the wider Exeter area, and the increased patronage arising from occupation of the new homes will support local organisations and services, including bus services, thereby helping to sustain them in the longer term. Furthermore, the illustrative layout demonstrates that a high-quality built environment can be created for the benefit of residents, with good access to open space and a cycle / pedestrian route through the site. These are significant social benefits not just to the future residents of the scheme, but the wider local community.

### **Environmental**

- 6.37 Paragraph 170 seeks to protect the natural environment. The proposals will contribute to the enhancement of the natural environment by providing biodiversity gain.
- 6.38 It is accepted that the proposed development will result in some change to the rural character of the area with the loss of agricultural land and despite the site sitting in an area protected by Policy LSI, the LVIA submitted in support of this application outlines how visibility within the local skyline will be very limited and that high levels of landscape legibility will be retained. The site itself is not subject to any specific policies as referred to in footnote 6 to paragraph 11 of the Framework that would indicate that development should be restricted.
- 6.39 The proposed development will retain the most significant trees and hedges and will seek to enhance them through additional native species planting, providing opportunities to increase the biodiversity interest of the site. Ecological mitigation and enhancement involving measures can be secured by way of a planning condition. In summary, the proposals can be considered sustainable development.
- 6.40 Taken in the balance, the economic and social benefits of the proposed development outweigh any relatively minor environmental harm, which in itself is tempered by opportunities for appropriate mitigation. Accordingly, based on the three roles, the application proposals represent a sustainable form of development which complies with the Framework when taken as a whole.

### **Emerging Planning Policy**

- 6.41 As set out in Section 5, whilst a draft Development Delivery DPD was published in 2015, development of the Plan is still at the early stage and therefore it carries limited weight.

### **(C) SUMMARY**

- 6.42 The above section demonstrates that the proposed development accords with relevant policies contained within the Development Plan documents for Exeter City Council. Subject to appropriate mitigation which can be secured through planning conditions or a s106 legal agreement the proposals will not result in any adverse impacts which would indicate that planning permission should be withheld. Importantly the proposals address the three roles of sustainable development set out in the NPPF.

- 6.43 Overall, the proposals can be considered sustainable development. Paragraph 11 of the NPPF therefore applies to the extent that the proposals should be approved without delay.

## 7 CONCLUSION

7.1 This planning statement supports a planning application for residential development on Land off Pendragon Road, Exeter. The application is for outline planning permission with all matters reserved for future determination, with the exception of access.

7.2 The application is accompanied by a range of supporting documents which demonstrate how the proposed development accords with the policies in the Development Plan documents. It has been demonstrated that:

- The scheme is compliant with Policy CPI.
- A high-quality development of up to 100 dwellings can be accommodated on the site (including 35% affordable housing).
- The proposed development will not have an adverse impact on the landscape character of the area.
- The proposed development will not have a material impact on the operation and safety of the local highway network and there are no valid highway or transportation reasons which should prevent the proposed development of the site. The proposed development is acceptable in terms of highway impact.
- The proposed development will not have a significant ecological impact.
- The proposed development will not affect flooding in the area.
- The proposed development would not affect any of the aspects of setting that contribute towards the significance of the designated heritage assets within the study area.

7.3 The proposals also address the three roles of sustainable development set out in the NPPF. The proposals will also make a positive contribution to housing supply, including the delivery of affordable housing,

7.4 Based on the above it is considered that there is an overwhelming justification for planning permission being granted.



# APPENDIX I – AFFORDABLE HOUSING STATEMENT

LAND OFF PENDRAGON ROAD, EXETER

DECEMBER 2020

## Introduction

This statement has been prepared by Walsingham Planning (WP), on behalf of Land Promotion Group Ltd (the Applicant), to support a planning application for residential development on Land off Pendragon Road, Exeter. The application is for outline planning permission with all matters reserved for future determination, with the exception of access. This proposal is for up to 100 homes which could deliver a provision of 35 affordable homes on this site.

## Policy Background

Policy CP7 (Affordable Housing) of the Core Strategy states:

*“On sites capable of providing 3 or more additional dwellings (irrespective of the number of dwellings proposed) 35% of the total housing provision should be made available as affordable housing for households whose housing needs are not met by the market. At least 70% of the affordable housing should be provided as social rented housing. The overall percentage of affordable housing and the tenure split will be subject to considerations of viability and feasibility. Where it is not possible for viability reasons to provide the full requirement of social rented housing, affordable rent provision would be considered, let as far as possible at social rented levels. The remaining balance of the affordable housing should be delivered as intermediate affordable housing.”*

The affordable Housing SPD provides detailed guidance on how Policy CP7 is implemented

## Required Content

The Exeter City Council (ECC) Validation Checklist advises that planning applications for 15 or more dwellings must be accompanied by an Affordable Housing Statement.

## Total number of dwellings

The planning application is being made in outline and is for up to 100 dwellings.

## Number of affordable dwellings

The proposed development will accord with Policy CP7 (Affordable Housing) of the Core Strategy which seeks the onsite provision of 35% affordable housing. As the description of development is for ‘up to’ 100 dwellings the exact number of affordable dwellings will not be known until the total number of dwellings is fixed at the Reserved Matters stage. However, should the final development be for 100 dwellings then it will include 35 affordable homes.

## Tenure

Policy CP5 of the Core Strategy sets out the Council’s approach to housing mix. A tenure split of 70% social rented and 30% Intermediate or as near as is economically viable. The proposed development will accord with this requirement.

### **Type and number of bedrooms of the market dwellings**

As the application is being made in outline the type and number of bedrooms of the market dwellings will not be fixed until the Reserved Matters stage.

### **Layout plan with the location of each affordable housing dwelling**

As the application is being made in outline the location of the affordable dwellings will not be fixed until the Reserved Matters stage. A layout plan cannot therefore be provided at this stage.

### **Affordable housing schedule**

As the application is being made in outline the information required to prepare a scheduled (plot number, unit type etc) is not yet available and will not be fixed until the Reserved Matters stage.

### **Building standards**

As the application is being made in outline this information has not yet been finalised. However, it will be provided at the appropriate stage.

### **Delivery method**

As the application is being made in outline this information has not yet been finalised. However, it will be provided at the appropriate stage.

### **Affordability of intermediate affordable housing**

As the application is being made in outline this information has not yet been finalised. However, it will be provided at the appropriate stage

### **Phasing plan**

As the application is being made in outline this information has not yet been finalised. However, it will be provided at the appropriate stage.

### **Service charges**

As the application is being made in outline this information has not yet been finalised. However, it will be provided at the appropriate stage.

### **Commuted Sum**

This is not applicable as the intention is to provide the affordable housing on-site.

## APPENDIX 2 – DRAFT HEADS OF TERMS

| SECTION 106 – DRAFT HEADS OF TERMS (OCTOBER 2020) |                                 |
|---|---------------------------------|
| <b>SITE DETAILS:</b>                              | Land off Pendragon Road, Exeter |
| <b>APPLICANT:</b>                                 | Land Promotion Group Ltd        |
| <b>COUNCIL:</b>                                   | Exeter City Council             |

| SUMMARY OF PROPOSED SECTION 106 CONTRIBUTIONS (subject to agreement with Exeter City Council) |   |
|---|---|
| Affordable Housing  | <p><b>Quantum</b><br/>Affordable housing will be provided in accordance with the requirements of Policy CP7.</p> <p><b>Mix and Tenure of Units</b><br/>The application is in Outline, but the Section 106 Agreement will secure a specific mix and tenure, and this will be agreed with the Councils Affordable Housing Officer prior to determination of the planning application.</p> |
| Highways  | Financial contribution.   |
| Sustainable Transport   | Financial contribution for sustainable travel initiative.   |
| Green Infrastructure  | Provision of on-site public open space and green infrastructure and/or off-site financial contribution.   |