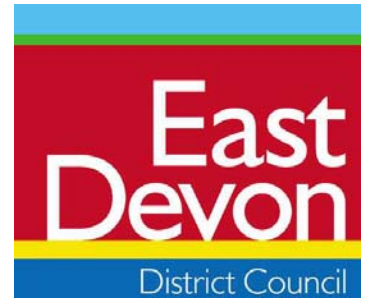


**BROADCLYST PARISH
(Broadclyst Ward)
09/1107/MOUT
(Includes Environmental Statement)**



- Applicant:** Devon County Council
- Location:** Land north east of M5 Junction 29 and A30, Clyst Honiton, Near Exeter
- Proposal:** Development of a Science Park with 76,450 sq m of B1 (A-C) uses plus:-
- 1. A 150 bedroom hotel and conference facility**
 - 2. Ancillary uses (A1, A3, D1 and D2)**
 - 3. Associated infrastructure including new highways access**
 - 4. Strategic landscaping and open space.**

LIST OF CONTENTS

Page 3		List of Appendices
Page 5		Consultation Responses
Page 23		Planning Policy

Main Body of the Report

Page 26	Section 1.0	Location & Planning Context
Page 27	Section 2.0	The Proposed Development

Observations

Page 29	Section 3.0	Introduction & Policy Background
Page 30	Section 4.0	Selection of Site & Socio Economic Effects
Page 30	Section 5.0	Land Use
Page 31	Section 6.0	The Natural Environment
Page 32	Section 7.0	Landscape & Visual Impact
Page 36	Section 8.0	Noise & Vibration
Page 38	Section 9.0	Air Quality
Page 40	Section 10.0	Traffic Generation
Page 43	Section 11.0	Design & Access and Design Coding
Page 48	Section 12.0	Sustainable Development
Page 49	Section 13.0	Water Resources, Flooding & Drainage
Page 51	Section 14.0	Archaeology and Cultural Heritage
Page 52	Section 15.0	Ground Conditions & Contaminated Land
Page 53	Section 16.0	Arboriculture
Page 55	Section 17.0	Ecology and Biodiversity / Nature Conservation
Page 57	Section 18.0	Waste
Page 58	Section 19.0	Cumulative Effects

Page 59 Section 20.0 Analysis of Key Planning Issues

Page 65 Section 21.0 Recommendation & Conditions

Section 106 Agreement – Draft Heads of Terms

LIST OF APPENDICES

1. Application Site and Land in the Control of the Applicants
2. Illustrative Masterplan
3. Phasing Plan
4. Exeter City Council Response
5. Devon County Council Response
6. Development Parameters (Letter from applicant's agent)

CONSULTATIONS

Consultation Process

Following receipt of an outline planning application for Exeter Science Park on 29th May 2009, a full consultation process was undertaken with statutory consultees, the general public and other interested parties. 9 neighbour notification letters were dispatched and 5 site notices were displayed in various locations around the site at the slip road from the A30 at the junction with the access road to Redhayes Lodge, adjacent to Sunnymead Kennels and the junction with the lane to the former Redhayes House, at the junction of Langaton Lane and Tithebarn Lane, halfway along Tithebarn Lane, and immediately across the motorway bridge on Tithebarn Lane. Additionally, copies of the application documents were deposited in local libraries at Honiton, Sidmouth, Exmouth and Ottery St Mary. The process has also included advertisements in local newspapers. All the application documents have been posted on the Council's website.

Prior to the submission of the application and in addition to the statutory process described above, presentations and exhibitions were held by the applicants to which Councillors, Statutory Consultees, Key Stakeholders and members of the public were invited.

The public exhibition events were supported by the preparation and publication of a leaflet which was delivered to homes in Pinhoe, Blackhorse, Sowton and Clyst Honiton, press advertisements, posters detailing the events which were distributed in Pinhoe, Black Horse and Clyst Honiton; the setting up of a consultation web-site including a feedback email messaging system; and a media press call. Details of the events are listed below:

Community Events

- Public Exhibition press call (10.00am) Gypsy Hill Hotel – 27 February 2009
- Gypsy Hill Hotel (12.00pm – 8.00pm) on 27 February 2009
- Gypsy Hill Hotel (10.00am – 4.00pm) on 28 February 2009
- Sowton Village Hall (11.30am – 7.00pm) on 3 March 2009
- Broadclyst Village Hall (11.30am – 7.30pm) on 4 March 2009
- Rockbeare Village Hall (11.30am – 7.30pm) on 5 March 2009
- Great Moore House (unmanned) 6 March 2009 – 13 March 2009
- University of Exeter Innovation Centre (unmanned) 24 March 2009 – 9 April 2009 and 13 April 2009 to 5 May 2009
- Met Office, Exeter (unmanned) 5 May 2009 – 12 May 2009

Stakeholder Events

- County, District and City Council Members Briefing and Exhibition (2.00pm) 24 February 2009
- Stakeholders Briefing and Exhibition (2.30pm) 25 February 2009
- Science Park Steering Group Briefing and Exhibition (2.00pm) 26 February 2009
- Exeter Business Leaders Forum (7.00pm) 24 March 2009

- Presentation to Exeter and Devon Committee (3.00pm) 9 April 2009

An invitation was sent out to Broadclyst, Clyst Honiton and Bishops Clyst Parish Councils to present the proposals to them at their individual Parish Council Meetings. Broadclyst were the only parish to respond and the scheme was presented at their Parish Council meeting on the 2 March 2009.

The scheme was also presented to two South West Design Review Panels (35 and 42) on the 18 March 2008 and 16 September 2008.

A full report of these events together with the feedback is contained in the Statement of Community Involvement submitted by applicants with their application.

CONSULTATION RESPONSES

Government Office for the South West (11/06/09)

GOSW explain that the general approach of the Government is that responsibility for deciding planning applications should be left, as far as possible, to locally accountable planning authorities. In the circumstances therefore, I am sure you will understand that we cannot comment on the merits of the application in case we prejudice the Secretary of State's consideration of the matter, should it come before him formally in the future, for example, as a departure from the Local Development Framework, or on appeal.

South West of England Regional Development Agency (SWRDA) (23/07/09)

The South West RDA supports the proposals. Exeter Science Park is a regional investment priority for the South West RDA. The Science Park is supported by a strategic objective within the Regional Economic Strategy. The project will play a critical role in helping to create the conditions for productivity – led growth for Exeter. Linking with other key knowledge based institutions in the locality, it will help to retain, develop and promote high value business sectors and encourage innovation, research and relevant skills.

Environment Agency (26/06/09) and (22/07/09)

Originally recommended refusal. However, it is confirmed that the revised FRA dated July 2009 is acceptable to the Environment Agency and providing the development proceeds in accordance with this document there are no objections in principle to the proposed development on flood risk grounds.

National Trust (26/06/09)

Visual Impact – The Trust's primary concern is with the visual effects from the Grade II* registered park and garden at Killerton. The ES fails to mention the issue of the setting of the registered park and garden which is considered to be of exceptional historic interest.

There needs to be a more complete assessment of the likely impact of the park and garden which takes into account the number and significance of the individual views that will be affected.

At the detailed design stage it will also be critical to ensure that the impact is minimised through the design of individual buildings, and, where necessary, ensuring buildings adopt a recessive style and colour as well as considering the visual impact of glazing. This should be acknowledged in the design codes at this stage.

The Trust is also concerned about what the cumulative impact will be with the other major developments planned in the area, particularly Cranbrook, the Inter-modal Freight Facility and Skypark, but there is no assessment of this specifically in relation to Killerton.

Whilst the Trust would not wish to object to the principle of the Science Park, in the absence of a more complete assessment of the likely impact on the park and garden at Killerton with better visual information, the Trust has no alternative but to object to the application in its current form.

Natural England (07/09/09)

Natural England are supportive of the aim to create an 'exemplar' sustainable development which is sensitive to landscape and biodiversity.

The proposal to employ an ecological clerk of works during construction is also supported.

There are some minor comments in relation to the ES as follows:

- The Ecology and Nature Section (Section 7) identifies the need for mitigation and enhancement in relation to some identified valued ecological receptors including protected species. Natural England would prefer to see a commitment to these measures prior to granting planning permission.
- Reference is made to a 'mitigation master plan' but it is not clear when this will be produced and whether it will be separate to the Landscape Management Strategy. Natural England therefore seeks assurances that there will be a clearly agreed programme of mitigation and enhancement in addition to the recommendations suggested in section 7.8.
- No reference is made to the use of sensitive/low level/directional lighting in the final scheme. This should be confirmed prior to the granting of planning permission.
- The mitigation strategy should be produced at the earliest possible opportunity particularly in relation to dormice and replacement habitats.

Highways Agency (03/08/09) (Holding Response)

Transport Assessment: Existing Conditions – Reference should be made to the Regional Network Report (RNR) for the South West 2008 rather than the 2000 report which is currently referenced.

It would be helpful, given other development proposals nearby, for the report to detail how the M5 junction 30 improvements have already accounted for the impact of the Science Park.

Proposed Development – The Agency welcomes the applicant's commitment to a Grampian style planning condition securing delivery of the J29 improvements in advance of the occupation of the development. However, as previously expressed, there is a concern in relation to the reasonableness of the second condition relating to the new link over the M5 in accordance with phase 2 of the development. This should accord with Circular 11/95 and a recommended wording is set out below.

Non-motorised user assessment – It is considered that the site would struggle to achieve the 12% public transport mode share proposed. Enhanced bus service over and above those currently planned may be required to meet this target.

It would be helpful to see a comparison between the data presented and the Census Travel to Work data for this ward.

Traffic Assessment: Modelling methodology for Future Year Appraisal – The Agency remains very concerned about the use of data from the Cambridge Science Park which is considered to be an ‘aspirational’ site. As such it is unlikely that similar trip rates will be achieved at Exeter, at least in the short to medium term. The Cambridge trip rate is over 25% lower than the trip rate jointly agreed in the Oct 2005 Phase Two Access Strategy.

Should it be the case that insufficient sites exist within TRICS, it is suggested that there is adequate information available to allow a robust first principles assessment to be undertaken to give the Agency the confidence that use of the Cambridge data is fair and reasonable.

Traffic Assessment: Future Year Modelling Results – Link Flows: It would be helpful for a table to be produced showing the percentage impact of the Science Park in relation to the flows shown in figures 6.1, 6.2, 8.1 and 8.2. Further to this there should be an explanation of how the package of East of Exeter works has been designed to accommodate the Science Park, alongside other developments.

It is noted that 9.1.3 appears to refer to the superseded IHT guidance, insofar as it makes use of the ‘5% rule’ which is now only rarely used.

Traffic Assessment: Junction Modelling – Junctions Affected in the Do Minimum Scenario – The Agency notes the results of the TRANSYT assessment work undertaken and is concerned with respect to the queuing forecast on the SRN. It is requested that the applicant provides the Agency with copies of the modelling files used in the assessment work, so that they can be analysed further.

It is noted that 11.8.1 is not entirely accurate, in that the necessary improvements to the East of Exeter network result from all of the proposed developments in that area. Whilst the Science Park may have a smaller impact than other developments, this is still significant when considered cumulatively.

On Site Parking Arrangements: The rationale for applying a higher parking ratio to the first phase of development is noted, however, would temper this with the observation that this is likely to have a significant impact on the formation of travel habits across the Science Park in the future.

Overall, there is concern that the predicted parking accumulation represents a car driver mode share well above that proposed elsewhere in the Transport Assessment. Further consideration and explanation is required.

Conclusions: The revised Transport Assessment is welcomed, but further analysis is required in order for the Agency to be able to accept the document as a robust analysis of the impact and necessary mitigation measures that will result from the proposed development.

The document has been considered as submitted, however, it is noted that important aspects, including impacts on the surrounding highway network, are likely to change as a result of the adoption of alternative strategies for assessing trip generation.

The applicant is referred to previous correspondence from the Agency and the necessary revised documentation is awaited.

Framework Travel Plan: The Agency is pleased that a Framework Travel Plan has been prepared in support of the development proposal. However, this will need to be closely aligned with the revised Transport Assessment, once prepared.

Whilst there is much of merit in the submitted document, a key omission would be targets for the operation of the development. These should address not only mode share, but also provide reassurance as to the implementation of other key initiatives, measures and monitoring regimes. An indication should also be given as to the steps that will be taken if these targets are not achieved.

Following discussions, and these comments, the Agency is expecting a revised TA and Travel Plan to be submitted for consideration addressing the points above.

The Highways Agency recommends the following conditions and clauses:-

Planning Conditions: - Use of Grampian Conditions

The Agency has agreed in principle the use of Grampian Conditions to protect the integrity of the strategic road network.

Draft – Phase 1 Grampian Condition

The occupation of any part of the development authorised by this permission shall not begin until:

- The Local Planning Authority (in consultation with the Secretary of State for Transport) has approved in writing a full scheme of works of improvement to provide the East of Exeter Phase 2 Link Road to increase capacity at M5 Junction 29 as shown on drawing reference Figure 11.1; and
- The approved works have been completed in accordance with the Local Planning Authority's written approval (in consultation with the Secretary of State for Transport) and have been certified in writing as complete on behalf of the local planning authority.

Or;

Abandonment or an indeterminate delay to the East of Exeter (Phase 2) Link Road occurs in which case occupation of any part of the development authorised by the permission shall not begin until:

- Such time as an updated Transport Assessment detailing the revised assessment scenario is submitted to and approved by the Highway Authorities; and
- Any identified alternative improvement works necessary have been submitted to, approved in writing by the Local Planning Authority (in consultation with the Secretary of State for Transport) and have been completed in accordance with the local planning authority's written approval (in consultation with the Secretary of State for Transport) and have been certified in writing as complete on behalf of the local planning authority.

Draft – Phase 2 Grampian Condition

The occupation of any part of Phase 2 of the development authorised by this permission shall not begin until:

- The local planning authority (in consultation with the Secretary of State for Transport) has approved in writing a full scheme of works and improvement to provide a new vehicular transport link from the identified East of Exeter developments (figure 4.2 – will require a detailed drawing reference number) into Exeter via a new local distributor road over the M5 north of Junction 29. These works shall include a junction from Phase 2 of the development connection to this link; and

- The approved works have been completed in accordance with the local planning authority's written approval (in consultation with the Secretary of State for Transport) and have been certified in writing as complete on behalf of the local planning authority.

Or;

Abandonment of an indeterminate delay to one or more of the other East of Exeter development proposals no longer necessitates construction of a new link. In which case occupation of any part of Phase 2 of the development authorised by this permission shall not begin until:

- Such a time as an updated Transport Assessment detailing the revised assessment scenario is submitted to and approved by the Highway Authorities; and
- Any identified alternative improvement works necessary have been completed in accordance with the local planning authority's written approval (in consultation with the Secretary of State for Transport) and have been certified in writing as complete on behalf of the local planning authority.

Highways Agency (30.09.09)

Following submission of a revised Transport Statement on the 8th September 2009, the Highways Agency issued a formal response.

Section 106

Definitions: The Agency was concerned to see some of the items that were removed from the definitions, particularly in relation to public transport provision and infrastructure. Clarification is sought that there is sufficient information for the Highways Agency to be certain that the development can be served by public transport.

Clarification is sought on the decision to delete reference to Junction 30 in the definitions but still make reference to it in the text.

Whilst there is some restriction in terms of types of uses, it is questioned whether these alternative uses could be controlled further, for example, through floorspace / percentage thresholds to ensure that the development does not end up as an office park. On a linked issue clarification is sought as to whether there is a threshold for unit size (possibly as a condition) to prevent a single office occupier taking out a significant chunk of the site, as the draft Section 106 doesn't appear to allude to such a restriction.

Covenants: It is noted within paragraph 8.1.3 that the clawback period has been reduced to 5 years from 10. In light of the potential complexities involved with some of the schemes we would suggest it should remain at 10 years.

Schedule 1: Highways: Devon County Council will lead on phasing and monitoring, with the Agency commenting accordingly once further information is available.

Schedule 2: Growth Point Highways and Transportation: Whilst the agency does not have any major concerns regarding the distance restrictions relating to where the contributions can be spent we would nonetheless be keen to learn more about the justification for the distances quoted in the Section 106.

Schedule 3: Travel Plans: The Highways Agency is concerned that paragraph 3.1.2 requires travel plans to be prepared and adopted for the hotel and each commercial unit within 6 months of occupation rather than the more generally accepted 3 months. The HA also seeks clarification as to whether these travel plans are to be formally submitted to and subsequently approved by the relevant authorities (or at least the Science Park Travel Plan Board) as there does not appear to be any formal requirement for this to happen as currently drafted.

Transport Assessment

Non-motorised user assessment: The Highways Agency considers that the site will struggle to achieve the 12% public transport mode share proposed, on the basis of the likely bus provision currently planned.

Consideration needs to be given to the likely users of the Science Park, and whether the planned mix of uses is likely to generate a similar pattern of trips to other employers nearby, for example EDF Energy.

Traffic Assessment: Junction Modelling – Junctions Affected in the Do Minimum Scenario: With reference to 11.3.1, the Agency has been informed that this alteration to the southbound offslip at M5 J30 does not comprise part of the works currently underway. Consequently, the Grampian conditions which the Agency has Directed seek to secure the delivery of this infrastructure in advance of occupation of the Science Park development.

The Agency would appreciate confirmation that queuing from Moto roundabout will not cause exit blocking for traffic leaving M5 J30.

On Site Parking Arrangements: The Agency notes the rationale for applying a higher parking ratio to the first phase of development, but would temper this with the observation that it is this element of the development that is likely to have a significant impact on the formation of travel habits across the Science Park in the future.

Conclusions: The Highways Agency welcomed the revised Transport Assessment. The Agency has drawn the applicant's attention to a number of areas within the report which they feel warrant further consideration in order to ensure that the site develops with sustainable transportation patterns from the outset. It will be very difficult to retro-fit sustainability should this not be realised from the development's opening day.

Framework Travel Plan

Whilst there is merit in the submitted document, a key omission would be targets for the operation of the development. These should address not only mode share, but also provide reassurance as the implementation of other key initiatives, measures and monitoring regimes. An indication should also be given as to steps that will be taken if these targets are not achieved.

Currently the Travel Plan does not fully meet the Agency's requirements in a number of key areas. The Agency has therefore Directed a planning condition requiring the submission of an acceptable Travel Plan in advance of the first occupation of the development, in order to secure this document without delaying the planning process. Mike Ginger, the Agency's Influencing Travel Behaviour Specialist for the south west should become involved in supporting the Travel Plan.

TR110 Direction

The Highways Agency has requested that the Secretary of State for Transport directs conditions to be attached to any planning permission which may be granted:

The occupation of any part of the development authorised by this development shall not begin until:

1. The occupation of any part of the development authorised by this permission shall not begin until:
 - The local planning authority (in consultation with the Secretary of State for Transport) has approved in writing a full scheme of works of improvement to

provide the East of Exeter Phase 2 Link Road to increase capacity at M5 Junction 29 as shown on drawing reference Figure 11.1; and

- The approved works have been completed in accordance with the local planning authority's written approval (in consultation with the Secretary of State for Transport) and have been certified in writing as complete on behalf of the local planning authority.

Or;

Abandonment or an indeterminate delay to the East of Exeter (Phase 2) Link Road occurs in which case occupation of any part of the development authorised by the permission shall not begin until:

- Such time as an updated Transport Assessment detailing the revised assessment scenario is submitted to and approved by the Highway Authorities; and
- Any identified alternative improvement works necessary have been submitted to, approved in writing by the Local Planning Authority (in consultation with the Secretary of State for Transport) and have been completed in accordance with the local planning authority's written approval (in consultation with the Secretary of State for Transport) and have been certified in writing as complete on behalf of the local planning authority.

2. The occupation of any part of Phase 2 of the development authorised by this permission shall not begin until:

- The local planning authority (in consultation with the Secretary of State for Transport) has approved in writing a full scheme of works and improvement to: provide a new vehicular transport link from the identified East of Exeter developments (Figure 4.2 – will require a detailed drawing reference number) into Exeter via a new local distributor road over the M5 north of Junction 29. These works shall include a junction from Phase 2 of the development connection to this link; and
- The local planning authority (in consultation with the Secretary of State for Transport) has approved in writing a scheme of works to improve capacity on the southbound offslip at M5 Junction 30 by the provision of a further lane on this slip-road, or an alternative scheme to the satisfaction of the local planning authority (in consultation with the Secretary of State for Transport); and
- The approved works have been completed in accordance with the local planning authority's written approval (in consultation with the Secretary of State for Transport) and have been certified in writing as complete on behalf of the local planning authority;

Or;

Abandonment or an indeterminate delay to one or more of the other East of Exeter development proposals no longer necessitates construction of a new link. In which case occupation of any part of Phase 2 of the development authorised by this permission shall not begin until:

- Such time as an updated Transport Assessment detailing the revised assessment scenario is submitted to and approved by the Highways Authorities; and
- Any identified alternative improvement works necessary have been completed in accordance with the local planning authority's written approval (in consultation with the Secretary of State for Transport) and have been certified in writing as complete on behalf of the local planning authority.

3. A comprehensive Travel Plan will be developed for the development hereby permitted. The acceptability of the Travel Plan will need to be agreed in writing by the Local Planning Authority (in consultation with the Secretary of State for Transport), in advance of the first occupation of any part of the development.

The Travel Plan will need to be prepared in line with prevailing policy and shall include as a minimum:

- the identification of targets for trip reduction and modal shift
- the methods to be employed to meet these targets
- the mechanisms for monitoring and review
- the mechanisms for reporting
- the penalties to be applied in the event that targets are not met
- the mechanisms for mitigation
- implementation of the Travel Plan to an agreed timescale or timetable and its operation thereafter
- mechanisms to secure variations to the Travel Plan following monitoring and reviews

A review of targets shall be undertaken within 6 months of the occupation of the development and on an annual basis thereafter, at the time of submission of the Annual Travel Plan Report.

4. The construction of the development hereby permitted shall not commence until there has been submitted to and approved in writing by the local planning authority (in consultation with the Secretary of State for Transport) a construction management plan. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of Public Transport amongst contractors. The development plan shall be carried out strictly in accordance with the approved construction management plan.

Reason(s) for the direction given at c), d) or e) and the period of time for a direction at d) or for any other 'holding' direction:

1. To protect the operation of the A30 and the M5, particularly at M5 Junction 29.
2. To protect the operation of the A30 and the M5, particularly at M5 Junctions 29 and 30.
3. To maximise the sustainability of the development and minimise traffic impacts on the Strategic Road Network.
4. To minimise the impact of construction on the safety and operation of the Strategic Road Network.

South West Water (19.06.09)

South West Water has no objections subject to adequate foul drainage provision being made available. To achieve this, a hydraulic analysis of the sewerage network needs to be undertaken.

Costs associated with the foul drainage improvements once identified will also need to be funded by the applicant / developer and needs to be the subject of a suitably worded Section 106 Agreement.

The Barn Owl Trust (18.06.09)

No records of Barn Owls breeding at this site are held. As this site is bordered by both the M5 and the A30, and almost a third of Barn Owl sitings within two kilometres square are reports of road deaths, we would not recommend provision is made.

Devon and Cornwall Police (10.07.09)

Permeability: The current illustration of the proposed site shows it to be very permeable with separate routes for cyclists, pedestrians and vehicles. Permeability, while offering easy access for legitimate site users, also offers the criminal hiding places and a multitude of access and egress routes, increasing anonymity. A more integrated approach where cyclists, pedestrians and vehicles share space creates well used and safer places.

Sustainability: The principles surrounding sustainability should extend to all aspects of the design including designing out crime. Considering design principles at this early stage can help improve not only the security of the buildings but the feeling of safety for the employees, park users and visitors.

Car Parking: Car parks should be clearly marked and well used with good natural surveillance. An operational requirement will be needed to ensure CCTV provides the correct coverage and we would be more than happy to assist with this at a later date.

Site Use: It is unknown at this stage of the development the nature of the businesses utilising the Science Park on completion. There is potential that some usage could be controversial inciting protest or extreme activity. It is crucial at the planning stage that this type of threat is given a high priority and it is recommended that the Constabulary's Counter Terrorism Security Adviser (CTSA) is consulted.

CPRE Devon Branch (08.07.09)

The CPRE Devon Branch object to this application on the following grounds:

1. The proposal is to develop buildings which by themselves have no relevance to the Science Park Concept and merely appear to be a way of making money on this site.
2. The buildings proposed are excessively high and will be a monstrous eyesore on a very visible skyline.
3. The proposal will damage the gardens and shrubbery of the old house which need to be preserved.
4. The District Council, as a sponsor of the whole scheme, should be prevented from making a decision as an interested party. It should go to public inquiry.

South West Regional Assembly – Now South West Councils (26/06/09)

The recognition given in the submitted documents, particularly in the Environmental and Planning Statements, to the regional strategic planning context provided by the current and emerging RSS is welcomed.

It is the view of the South West Councils that it is clear that the objectives in the outline application are consistent with the policies and strategies of the current and emerging RSS and would aid their delivery.

English Heritage (03/07/09)

English Heritage recommends that: “the application should be determined in accordance with National and local policy guidance and on the basis of your specialist conservation advice”.

Exeter International Airport (29/06/09)

The proposed development is just to the north of the centreline of the main runway, but is under the approach flight path of runway 08, and forms part of the safeguarded area around the Airfield. Any developments in this area may have serious consequences for aviation safety as a result all proposals will require consultation with Exeter Airport.

Aviation safety is paramount and every effort must be made to safeguard this. Consultation with Exeter International Airport during all phases of planning and construction must be maintained at all times.

Exeter City Council

Exeter City Council Major Projects (13.07.09)

The Exeter Science Park is recognised as a key component in the delivery of the growth objectives in the Draft Regional Spatial Strategy for the south west which identifies Exeter as a Strategically Significant City and as an area for significant future growth.

The commitment to create an exemplar of sustainable development that showcases low and zero carbon technologies is welcomed.

In line with the established policies of your authority, the County Council and our own we would also hope that the consent will provide a framework so that car based movements are minimised and alternative modes are promoted from the earliest occupation of the site in the interest of operation of the highways network and reducing the carbon footprint of this development.

Urban Design (18.08.09)

Design and Access Statement: The D&AS adequately sets out the design approach.

Design Framework and Design Code: Generally the scale and massing of the proposed buildings is appropriate in principle, both in relation to the wider views and the structure of the site.

There are some important gaps in the information which need to be addressed:

Gateways: set the scene for the development and will need to incorporate signage for all users. The gateway from the new access south east of the site is not identified and there is a danger that the gateway from the south of the site becomes primary, with all traffic passing through phase 1 of the street. There doesn't appear to be any consideration of how these are designed, and their relationship to the landscape structure/built form.

The street / road layout is weak and seems to be vehicle dominated.

A01 – Science Park Drive: interface between access drive and adjacent farmland is not clear. The proposed speed 30mph speed limit along Science Park Drive and Phase 1 street is excessive for these locations. 20 mph would be more appropriate.

A02 – The street design seems to be excessively vehicle focused. A more balanced approach is suggested with greater priority given to pedestrians and cyclists especially within the main arrival space. The set back from tree/lighting strip to façade should be a minimum of 2m (ideally 3m) to allow sufficient room for street trees. Consider option for shared space across street, particularly adjacent to key entrance space. The interface of the street and cycle lane / drive at the northern end of Phase 1 will need to be carefully handled. The treatment of car park access points off of the street is not adequately considered in the design code. These should be pedestrian priority. The design of the side accesses to the car parks is not clear. There is no detail of how service / utility corridors will be accommodated and these need to be defined to ensure that trees can be implemented as indicated. There appears to be no mention of the management of on-site waste (recycling) – this could have a significant impact (on the layout and visual quality of the site) and will need to be considered at the start of the detailed design process.

P01 – The principles of the parking layout are good, but there is a need to realistically assess numbers of cars required and ensure clusters/strong landscape can be delivered. Clarification is needed in relation to parking numbers and whether any undercroft parking is to be provided as this may significantly impact upon the masterplan.

B01a – Need to be clear how this building relates to the entrance space and edge code for this area. The height of the entrance building (6 storeys) could create an unpleasant space to the north – careful design will be required to achieve views to the south, create high quality public spaces and incorporate the movement functions in this area. This is to be resolved at the next design stage but the code should be explicit in requiring the design to address the importance of the inter-relationship of these elements.

E01a – South east boundary of Phase 1 – the built form gives a strong edge to the cluster here, but there are not sufficient details in relation to the proposed landscape treatments.

E01e – Presume building height should be 3-6 storeys rather than 3-6m.

S01a / S01b – Surface treatments are mentioned but in limited detail. Street furniture is not discussed. Both will need to be carefully designed to work with the built form and set the standard for the rest of the development.

Public Art and Signage – is only mentioned in passing, but are important parts of the design. A Public Art Strategy should be developed linked to a S106 minimum amount (% of total budget). A signage strategy is needed – similar to that for Princesshay and integrated into the Design. Signage for the hotel will need to be carefully designed in order that it does not overwhelm the landmark building.

Landscape Framework – this is set out as part of the development framework but the landscape treatment to the south and east of phase 1 is not provided in detail and is only referred to as part of the masterplan. The landscape for this area will need to be carefully handled to link with the existing Parkland and Avenue to the west and address the farmland to the east. Consideration of how service / utility corridors will be accommodated without damage to existing trees is required.

Landscape Management Strategy – needs to be developed as part of the reserved matters application and linked to the management of trees, biodiversity and drainage. Need to ensure existing landscape areas are managed in advance of development of later phases, and that the landscape structure of the whole site is implemented at as early a stage as possible.

Other strategies such as Sustainability Strategy (CEEQUAL/BREEAM) and Travel Plan are not fully detailed and will have to be discussed in more detail at the next stage in the planning process.

Summary: The code appears to be robust and has the potential to deliver a high quality scheme. The key to the successful delivery of development will be the detailed design and the code does not remove the need for this, it merely sets the minimum standard.

There is a concern that the final scheme could be disjointed or poorly co-ordinated if individual buildings are delivered by separate planning applications. Information within the Design Code is insufficient to remove the need for full consideration of the layout and form of the development during consideration of the reserved matters application(s). It is suggested that the design of all buildings in each phase are considered by one application. If this is not practical because of commercial phasing requirements then it is suggested that the design principles for all phase 1 buildings are set by the first application and the subsequent buildings maintain the same principle properties.

Devon County Council (18/09/09)

DCC (the applicant) in its capacity as Strategic Planning Authority supports the development proposals on the basis that it will help deliver employment and economic growth objectives set out in the Devon Structure Plan and Emerging Regional Spatial Strategy for the South West, subject to an appropriate legal agreement and/or planning condition being required to ensure the effective recording of any archaeological evidence and the retention of elements of the parklands and gardens.

As Local Highway Authority, Devon County Council has no objection to the development subject to a Section 106/278 Agreement and/or planning conditions requiring financial contributions to transport infrastructure; full details of cycle/footway provision; approval of details of site access arrangements; safeguarding of land for future highway improvements; implementation and monitoring of Travel Plan; agreement of a parking charging regime; submission and approval of Construction Environmental Management Plan; funding of the cost of any traffic orders required; no occupation of the development until the delivery of the East of Exeter Phase 2 improvements; and no occupation of Phase 2 until the vehicular link north of the M5 is provided. Devon County Council consider that the Grampian Conditions as suggested by the Highways Agency be imposed in the event that planning permission be granted.

It is the view that, in the determination of this proposal and the other East of Exeter developments, improvements to rail services (to include a rail loop) should be fully considered.

The following conditions are suggested should planning permission be granted:

The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins, for this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals.

The development hereby approved shall not be carried out otherwise than in accordance with a phasing programme which shall previously have been submitted to and approved by the Local Planning Authority in writing.

Reason: To ensure the proper development of the site.

The report presented to the Devon County Council Development Control Committee on 2 September 2009 is reproduced in full at Appendix 5.

Archaeology (23/07/09)

The proposal is sited in an area of known archaeological potential and also of historic landscape. The potential of the archaeological resource is greater than indicated in the Environmental Impact Assessment.

A number of methods of archaeological evaluation have not yet taken place including geophysical survey, fieldwalking and targeted metal detector survey. These would best be undertaken across the whole site and prior to the progression of individual phases of development. It is recommended that such a programme of archaeological work be included within any proposed Section 106 Agreement.

In addition, it is recommended that any consent that your authority be minded to issue should carry the PPG16 (paragraph 30) condition whereby:

“No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority”.

“The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the District Planning Authority”.

Reason

“To ensure that an appropriate record is made of archaeological evidence that may be affected by the development”.

The proposed retention of elements of the former Redhayes parkland and gardens is to be welcomed. However, there is scope for more features being retained than indicated in the application. It is recommended that this be secured by Agreement or Condition.

East Devon District Council

Economic Development (28.08.09)

One of the key drivers of the Exeter and Heart of Devon Economic Development Strategy is to reduce the disparity between the cost of living and the value of local available jobs. The science park proposal can play a vital part in helping to retain some of the brightest young people and serve as a stimulus to new wealth creation. The application is fully supported.

Environmental Health (21.08.09)

The submission documentation is considered to be comprehensive but the Council has listed some issues which are not considered to be dealt with within the documents.

General issues are considered to be:

Synergy between the “road developments”, the proposed development and other developments:

It is not clear where the responsibility lies for the impact caused by the proposed development and the new road developments. The documents do not seem to address mitigation across the board other than through the provision of a transport “hub” and a framework travel plan. The Council assume that the Highways Authority will be dealing with any possible Land Compensation Act Claims and sound insulation measures.

There does not appear to be any assessment of the potential impact on Exeter (air quality and noise) and subsequent provision of mitigation of these potential impacts. There are no assessments of the impact elsewhere such as Exmouth and Honiton.

Construction noise impact of the ESP on local residents: The mitigation proposals are considered to be weak and the phasing of the build should “build in” mitigation measures at an early stage.

Operational noise impact of the ESP on local residents: The overall “maximum” proposed noise level (Sound Power Level) is considered to be an effective means of ensuring that noise levels are controlled and a planning condition can be set on this basis. However, as the application is ‘outline’ it does not provide, on its own, an effective method of controlling noise. If this is not adequately addressed at this stage, it could result in noise complaints at a later stage.

It is proposed that the ESP has a detailed “noise management plan” to deal with these issues. It is considered that such a plan is necessary to ensure that noise levels do not rise “uncontrollably”.

Reporting mechanisms: The application should be conditioned such that “monitoring and reporting mechanisms” are included. Detailed comments are as follows:

Development Framework and Design Codes: It would be advantageous to have a lighting management plan to minimise light spill and glare from the development.

Statement of Community Involvement: It would be advantageous if the applicant could provide monitoring reports on parking and possibly traffic issues generally.

It is noted that the EA have suggested their standard condition in relation to potential contamination of the major aquifer which lies beneath the site.

Environmental Statement Volume 1 Section 4 Air Quality: Operation: (Air Quality Page 27) - The transport data are only for 2005 and 2026. It was hoped that the application would have included predictions every 5 years to show medium to long term impacts.

Operation (Air Quality Page 30) - It is considered that the protection of Vegetation and Ecosystems (from an air quality point of view) should be included in the section on ecology and nature conservation.

Baseline Air Quality (page 32) - There is mention of the Exeter and Honiton areas, yet there appears to be no assessment of the impact on these areas. Air quality does not have boundaries especially as the ESP may affect areas beyond the study area and an assessment should be made.

PB Local Air Quality Monitoring (Page 33) – There appears to be only Nitrogen Dioxide Diffusion Tube monitoring taking place. It was anticipated that for a large application such as this continuous monitoring would be taking place with further monitoring secured as part of the planning condition.

Operation – Local Air Quality (Page 37) – Sowton Lodge appears to be currently exceeding relevant air quality criteria. The Council should consider the options for this location being approximately 20km away from the road centre line of the A30. It seems likely that an Air Quality Management Area (AQMA) will need to be declared at and/or close to this location. It is considered that a more detailed study (including continuous monitoring) will be required.

Operation – Local Air Quality (Page 37) – This indicated that the reduction in emissions per vehicle is the main reason for nitrogen dioxide concentration reductions over time. This does not show the impact over the medium terms as per previous comments.

Operation – Regional Air Quality (Page 42) – The table excludes ‘further afield’ impacts (i.e. Exeter, Honiton, Exmouth).

Assessment of Effects – Operation (Page 43) – The increase in total concentration at Sowton Lodge is referred to as less than 0.5% of the NAQS objective. This is considered to be slightly misleading as if ‘locally generated’ NO₂ was reviewed then the percentage would be considerably higher.

Mitigation (page 44) – The document states that no mitigation is required, however, owing to properties which are very close it is considered that mitigation as well as further assessment is required.

Environmental Statement Volume 1 Section 11 Noise and Vibration: Methodology and Assessment Approach (page 222) – In view of the lengthy construction process, it is requested that a scheme be put in place to provide sound insulation and temporary re-housing as appropriate. It is proposed that this be similar to the London Cross-Rail project.

Predicted Impacts – Operational Noise (page 228) – The issue surrounding the impact of the proposed M5 Junction 29 improvements also needs to be considered. It is hoped that these improvements, if done to a ‘high standard’ may actually improve the environment, through careful positioning and appropriate landscaping.

Assessment of Effects – Construction (Page 229) – The same comments are made as above.

Assessment of Effects – Construction (Page 231) – The construction works are far from temporary in their nature. However it is accepted that some phases of the development will be noisier than others with the ground works phases generally being the noisiest.

In light of the above, it is recommended that the applicant applies for prior consent under the Control of the Pollution Act 1974. In general this process is helpful to all parties for a large and / or lengthy construction project. The proposed CEMP will form a part of the application, but apart from detailed mitigation measures it is also anticipated that a significant resource will be required to provide an appropriate mechanism for the site to deal with complaints from local residents.

Assessment of Effects – Operation (Page 231) – If natural ventilation is used then noise from mechanical plant will be reduced. However, from experience, unless very innovative building designs are used, then building occupiers are likely to install their own ventilation systems. These systems produce noise and, if left unchecked could soon add up to a noise nuisance being caused by the site. It is considered to be a very good idea but it needs a detailed noise management plan to provide a process for implementation.

Mitigation – Construction Noise (Page 235) – Agree Monday to Friday 0800 to 1800 and Saturday 0800 to 1300. Working outside these hours should form part of the Section 61 application. Noise mitigation measures will be expected to an appropriately high level, as the ordinarily “temporary” nature of the construction process is rather different is such a long term project.

Summary Table – Noise and Vibration (Page 236) –

- Erection of Screening – Criteria need to be adopted.
- Combined operation noise effects – Noise Management Plan.

Environmental Statement Volume 1 Section 14 Sustainability: Cumulative Effects – Operation (page 306) – It is proposed that a monitoring and reporting system also be set up for this topic area.

Environmental Statement Volume 1 Section 18 Cumulative Effects: Assessment of Effects – Construction (page 355/356) – It was a surprise to see the combined impact of the construction phase in relation to noise being rated “moderate adverse”. From experience, the combination of such significant projects has a huge impact – including noise from construction traffic as well – there is no mention of the very negative impact the works are likely to have on local traffic as well.

Assessment of Effects – Operation (page 357) – Operational noise should not be an issue if an appropriate noise management plan is implemented – otherwise it will prove impossible to control noise from all the individual occupiers of the units.

Environmental Statement Volume 2 Section 4 Air Quality: Existing Conditions (page 18) – An air quality management area is to be declared in Honiton.

Construction Environment Management Plan (section 3.9): Noise – Environmental Health is likely to be mainly concerned with noise from the project. It is envisaged that Section 61 consent shall be applied for.

Sustainability Strategy – Generally: It is hoped that a monitoring and reporting system is set up for this topic area.

Environmental Statement – Non-technical Summary: Comments relate to Noise and Vibration and Cumulative Effects and Environmental Impact Assessment Conclusions as above.

Framework Travel Plan – General: It is considered that the ESP would benefit from the negotiation of a ‘deal’ with the local providers – for example if the providers knew that public transport would be “subsidised” by the development, then they may be prepared to alter their routes, times and schedules to suit the employers as income would be guaranteed.

It is believed that the development provides an excellent opportunity for all parties to provide better public transport.

Environmental Health (16.09.09)

Contamination: The applicant has undertaken detailed Phase 1 and 2 studies in accordance with DEFRA guidance CLR11 on contaminated land investigations. Environmental Health is satisfied with the conclusions of these studies that there are no contaminants of concern and only minimal risk to any potential receptors. There is some fly tipped material and a small amount of demolition waste which will be dealt with during the site clearance process.

It is possible that small areas of contamination may be revealed during the excavation and the following condition is therefore suggested:

Should any contamination of soil or groundwater be discovered during development of the site, the Contaminated Land Officer of the LPA should be contacted immediately. Site activities should be temporarily suspended until such time as a procedure for addressing such contamination is agreed upon with the LPA or other regulating bodies.

Reason: To ensure that any contamination existing and exposed during the development is identified and remediated.

Representations

5 letters of representation has been received.

Summary of Objections

1. Concerned that existing routes across the site for cyclists will not be maintained;
2. The sustainability strategy should consider the options for water sourcing more carefully;
3. The sustainability strategy and waste plan should consider discharge and processing of waste water.
4. Science park is not viable – construction of 3 large buildings which have nothing to do with science and technology. It is possible that the hotel, conference centre and administration block could stand alone for a long time being a blot on the landscape.
5. Some aspects of the EIA are far from objective and should be questioned.
6. Scheme will not protect and enhance the natural and historic environment or the quality and character of the countryside.
7. Hotel will be extremely intrusive and dominate the surroundings.
8. Parkland and ridgeline should be protected from development – ample space for buildings on the northern slope.
9. Increased vehicle movements along Blackhorse Lane and increase traffic at the Blackhorse Lane / Honiton Road junction which is already dangerous.
10. Excessive noise from the development in an existing rural and peaceful setting.

Planning History

There is no planning history related to the site itself. However, a planning application has been submitted to Devon County Council for a:

“Landmark pedestrian/cycle path over the M5 to reconnect Gipsy Hill Lane and Blackhorse Lane, Exeter at Gipsy Lane, Exeter, EX1 3RN and Blackhorse Lane, Exeter”.

This is yet to be determined and is under the following reference of 09/1787/CM at East Devon District Council.

Broadclyst Parish Council (30/06/09)

Following a vote in favour the Parish Council support with comments:

- There should be some control to ensure that the buildings are only used by ‘suitable’ businesses. In other words, retail, heavy industry etc should not be allowed.
- Langaton Lane and Tithebarn Lanes should both be made access only.
- Proper use should be made of public transport. Parking on the Science Park should be by paid permit only, thus making public transport more attractive financially.
- Every effort should be made to ensure that users of the Science Park do not add to the existing traffic issues on Station Road. Site development traffic should be banned from this and all local roads.
- There should be good walking links to Pinhoe Station.

- There are concerns that the proposed drainage schemes will not be sufficient to alleviate possible flooding downstream, and point to recent events such as the Ottery St Mary flooding on the 30th October 2008, which were described as once in a lifetime, which were followed by floods on the 13th December 2008.
- It is strongly felt that every effort should be made to ensure that developers honour their commitment to keep as many of the original trees and hedgerows as possible.

Bishops Clyst Parish Council (20/07/09)

The Parish Council supports this application with the following conditions:-

- No trees to be felled.
- No buildings within 5m of trees.
- Ancient hedges to be preserved.
- Where will all the surface water be directed? If this is into the River Clyst will this add to the impact expected with the proposed development at Cranbrook? This should be addressed so that the Community has some peace of mind.
- That the Science Park's buildings are only used for 'suitable' businesses (i.e. retail/heavy industry should not be allowed).
- There should be good walking links to Pinhoe Station.

Following the submission of additional information, the Parish Council supports this application with the following conditions:

- Think Landmark building should be lower down the site as it would stand out above the ridge line also that no building should be higher than two storeys.
- M5: We believe that the south bound slip road eastern arm from the M5 west should have a dedicated lane leading directly onto the new link road to C832 (old A30).

Clyst Honiton Parish Council 29/07/09)

The Parish Council supports this application with the following comments;

- It is expected the buildings to be of the highest design quality and to be visually pleasing – it would be a shame to repeat the disaster of early Cranbrook designs.
- It is considered that no building should be more than 5 storeys in height.
- The buildings must have sustainable qualities.
- We would like to see an intelligent use of grey water and run off.
- We are pleased to see that the parkland in the SW corner of the site will be retained.

Ward Members

No comments have been received.

PLANNING POLICY

The most relevant Development Plan Policies are as follows:-

Regional Planning Guidance 10

- **Policy SS2 – Regional development Strategy** – this policy sets an overarching framework for development at the 11 PUAs in the region. Structure Plan and Local Plan policy, was written to accord with this strategic policy.
- **Policy SS3 – The Sub-Regional Strategy** – the Central sub-region component of this policy provides further guidance to the above.
- **Policy SS15 – Exeter** – this policy sets out the development context for Exeter and the reasoned justification specifically refers to “*opportunities offered to the east of the City*”. Policy specifically refers to the “*City’s role as a focal point for strategic economic investment*”.
- **Policy EC3 – Employment Sites** – this policy sets out the need for strategic/major employment sites that are suitable for significant inward investment.
- **Policy EC4 – Major Strategic Sites** – this policy builds on EC3 and provides for major strategic sites. Science Parks falls within the identified site size, although is smaller than the preferred 50+ hectare requirement detailed in the policy. However, when viewed in the broader development context notably the other east of Exeter developments then Science Park can be seen as a major strategic site.
- **Policy TRAN1 – Reducing the Need to Travel** – this policy reiterates the need to reduce travel by private motor vehicle through locating major development on sites where there is a good choice of travel by sustainable transport or where choice can be provided as part of the development.
- **Policy TRAN9 – Airports** – this policy supports airport growth and development. The Science Park proposals will need to be developed in such a way not to prejudice operation / function or safety of the airfield.

Draft Regional Spatial Strategy for the South West (RSS)

- **SD3 The Environment and Natural Resources** – This policy sets out the need to ensure that development respects landscape and ecological thresholds and promotes positive planning and design including setting development within landscape and historic environment.
- **SD4 Sustainable Communities** – This policy sets out an overarching set of sustainability objectives, including in respect to economic development and prosperity.
- **Development Policy A – Development at the Strategically Significant Cities and Towns** – This policy sets the context for the identification of strategically significant towns and cities, of which Exeter is one, and the promotion of their strategic role.
- **Development Policy D – Infrastructure for Development** – This policy promotes cross-boundary and cross-discipline working to facilitate and secure infrastructure provision and utilise existing infrastructure to maximum benefits. As the Science Park forms a suite of developments with collective infrastructure requirements this policy has a strategic relevance.
- **Development Policy E – High Quality Design** – This policy promotes high quality design which will be essential given the strategic significance and prominence of the Science Park.
- **Development Policy F – Master Planning** – Policy seeks at SSTCs for major schemes planning on a “*comprehensive and integrated basis within an overall master plan*”. A high quality, robust and rigorously tested master plan will, therefore, be essential for the Science Park.
- **Policy HMA4** – this policy identifies a need for 100 hectares of employment land adjacent to Exeter (in Exeter and East Devon). The reasoned justification related to this policy states

that complementing the urban focused strategy, the Cranbrook new community will be developed to the east of the M5. In addition to this three Areas of Search for major mixed use development are identified in the East of the City (paragraph 4.1.37).

- **ES2 – Providing for Employment Land and Premises** – This policy requires identification of a 20 year supply of employment land, including strategic sites within LDDs to support the development of the knowledge driven economy through the development of science parks, innovation centres and incubator units.

It should be noted that the adopted RSS was due to be published in July 2009. However, this has now been delayed and a revised timetable for adoption has not been published.

The Devon Structure Plan Policies listed below are identified as particularly relevant to the Science Park application.

- Policy ST1 (Sustainable Development)
- Policy ST3 (Self sufficiency of Devon's Communities)
- Policy ST4 (Infrastructure provision)
- Policy ST5 (Development priority 2001-2016)
- Policy ST10 (Exeter Principal Urban Area)
- Proposal ST11 (Exeter Principal Urban Area, Housing and Employment Provision)
- Proposal ST12 (East Devon New Community Proposal)
- Proposal ST17 (Housing and Employment Land Provision)
- Proposal ST19 (Strategic Development Sites for Employment)
- Policy ST20 (Re-assessment and safeguarding Employment Land)
- Policy ST23 (Concept of New Community Development)
- Policy C06 (Quality of New Development)
- Policy CO11 (Conserving Energy Resources)
- Policy CO14 (Conserving Agricultural Land)
- Policy TR1 (Devon Travel Strategy)
- Policy TR2 (Co-ordination of Land Use/Travel Planning)
- Policy TR3 (Managing Travel Demand)
- Policy TR5 (Hierarchy of Modes and Transport Assessment)
- Policy TR7 (Walking and Cycling)
- Policy TR9 (Public Transport)
- Proposal TR17 (Strategic Network Investment Proposals – see A. Improvements to the strategic road network and C. Investment in other public transport infrastructure)

Devon County Waste Local Plan

- Policy WPC5 (Waste Audit)

East Devon Local Plan 1995-2011 (Adopted July 2006)

- Policy S1 (Strategic Development in the East Devon Part of the Exeter Principal Urban Area)
- Policy S5 (Countryside Protection)
- Policy S7 (Infrastructure related to new development)
- Policy D1 (Design and Local Distinctiveness)
- Policy D2 (Sustainable Construction)
- Policy D3 (Access for Disabled)
- Policy D4 (Landscape Requirements)
- Policy D6 (Public Art)
- Policy EN6 (Wildlife, Habitats and Features)
- Policy EN8 (Proposals Affecting Sites Which may potentially be of Archeological Importance)
- Policy EN13 (Development Affecting Parks and Gardens of Special Historic Interest)
- Policy EN14 (Development on High Quality Agricultural Land)

- Policy EN15 (Control of Pollution)
- Policy EN17 (Maintenance of Water Quality and Quantity)
- Policy EN18 (Adequacy of Foul Sewers and Sewage Treatment Works)
- Policy EN21 (Surface Run-Off Implications of New Development)
- Proposal E1 (Provision of Employment Land) Proposal E1 of the adopted East Devon Local Plan (omitting reference to site allocations not in the Exeter AEA) advises that:

Proposal E1 (Provision of Employment Land)			
Provision is made on the sites listed below, and as shown on the Proposals Map, for job generating business, general industry, storage and distribution and related uses. Employment uses are those that fall into Class 'B' of the Use Classes Order. Permission will not be granted for the change of use of current or allocated employment land and premises where it would harm business and employment opportunities in the area.			
Land Inside the Exeter AEA			
Location / Site Name	Site Area Hectares	Site Ref	Permitted Use Classes
Land at New Community (Cranbrook)	5.00	18	Any B Class Use
Land for Employment in AEA/PUA (Skypark)	25.30	19U	B1
Land at Airport Business Park	0.52	8A	Any B Class Use
TOTAL Inside Exeter AEA	30.82		

- Policy TA1 (Accessibility of New Development)
- Policy TA3 (Transport Assessments/Travel Plans)
- Policy TA4 (Footpaths, Bridleways and Cycleways)
- Policy TA7 (Adequacy of Road Network and Site Access)
- Policy TA9 (Parking Provision in new development)
- Policy TA12 (Aerodrome Safeguarded Areas and Public Safety Zones)
- Policy PUA (New Community)
- Proposal PUA (Intermodal Freight Facility and Distribution Centre)
- Proposal PUA4 (Development at Exeter Airport)
- Proposal PUA5 (Clyst Honiton Bypass and other transport works)

Supplementary Planning Documents

University of Exeter Science Park Supplementary Planning Document (Adopted November 2008)

Exeter Local Development Framework (2006-2021)

East Devon District Council is at an early stage in production of Local Development Framework (LDF) Documents. However, a Core Strategy Issues and Options document was prepared in December 2008 and was followed by a statutory consultation period that closed in February 2009. A further round of consultation is programmed for early 2010 with adoption of the Core Strategy programmed for late 2011.

The Issues and Options document refers to the strategic direction and scale of growth and the limited land that is available for development within Exeter. As guided by planning policy, some of this development will need to be accommodated in East Devon's west end.

The East Devon Corporate Strategy also recognises the importance of East Devon's West End as a location for growth and development. Under 'Priority Two: Thriving Economy' the Corporate Strategy advises:

“We have spent a number of years negotiating with regional and local agencies to bring about successful large scale developments in the West of the District: a new Science Park, ‘Skypark’ Business Park, the intermodal-rail freight facility and distribution centre, the expansion of Exeter Airport and transport infrastructure which will include a new railway station on the Exeter to Waterloo line and a passing loop to increase frequency of links to London Waterloo”. (paragraph 7.5)

The Issues and Options document highlights that on the basis of the proposed changes to the RSS there is a need to identify at least 100 hectares of employment land adjacent to Exeter (in Exeter and East Devon). This will include the proposed 25 hectare University of Exeter Science Park (paragraph 7.9).

National and Regional Planning Policy Guidance

- PPS1 (Delivering Sustainable Development)
- PPG4 (Industrial and Commercial Development and Small Firms)
- PPS11 (Regional Spatial Strategies)
- PPS12 (Local Spatial Planning)
- PPG13 (Transport)
- PPG15 (Planning and the Historic Environment)
- PPG16 (Archaeology and Planning)
- PPG17 (Planning for Open Space, Sport and Recreation)
- PPS22 (Renewable Energy)
- PPG24 (Planning & Noise)
- PPS25 (Development and Flood Risk)

Regard has also been had to:-

- Department for Transport Circular 1/2002-‘Control of Development in Airport Safety Zones’.
- ‘The Way Ahead: Delivering Sustainable Communities in the South West’ published jointly by the South West of England Regional Development Agency, Government Office South West and the South West Regional Assembly.

1.0 LOCATION & PLANNING CONTEXT

- 1.1 The application site comprises approximately 25.8 hectares of land immediately to the north east of Junction 29 of the M5 motorway and the A30 Trunk Road, immediately west of the village of Blackhorse and, 7 km to the east of Exeter City Centre. The site comprises the former Redhayes House which was demolished in the 1990’s following a fire. The proposed improvements to Junction 29 of the M5 will cross the south western part of the site. The site is owned by Devon County Council and Eagle One.
- 1.2 The M5 cutting delineates the site from the majority of the surrounding villages and Exeter itself, however, as well as Blackhorse village located to the east of the site, there are a couple of isolated dwellings within the immediate application boundary.
- 1.3 The Science Park site forms part of a ridge that reaches a high point of 45m above ordnance datum (AOD). The extents of the ridge are set by the Pin Brook which runs to the north of the site, the River Clyst which is located further to the north, and Great Moor Stream which is situated to the south of the site. The east-west aligned ridge effectively divides the site into two. The ridgeline is topped with a variety of tree specimens. The slopes on either side of the ridge are predominantly arable farmland of varying quality, including some Grade 1 land, which are subdivided by a defined network of hedgerows. Key existing features of the site comprise the former Redhayes House which occupied the highpoint of the ridge before it burned down and was demolished. However, some notable features remain including the tree lined former driveway leading from the A30 as well as the remnant parkland and associated features located between the former site of

the house and Junction 29 of the M5. Activity on site comprises only farming related activities.

- 1.4 In the wider context, the site for the proposed Science Park development is closely related to other strategic developments in the area identified in the Structure Plan and as part of various Supplementary Planning Documents. The Cranbrook New Community is proposed to be developed to the east of the site; the planned Intermodal Freight Facility and Distribution Centre will be located on the former A30 (now C832) to the north east of the site and the site will be able to be accessed from the proposed Clyst Honiton Bypass located further east along the A30 and linking in to the motorway network. The proposed Skypark business park will also be located to the east of the site adjacent to Exeter International Airport. Outline planning applications in respect of these other major developments have already been considered by this Council.
- 1.5 In respect of Cranbrook New Community, the original application submitted in July 2003 has since been twice amended in February 2005 and October 2006 and was granted outline planning permission in December 2006 subject to the receipt of further information and the signing of a Section 106 Agreement. The duplicate application for Cranbrook submitted in October 2005 has also been presented to this Committee which resolved that it was 'minded to grant' outline planning permission, subject to the receipt of various strategies, further information and the signing of a Section 106 agreement.
- 1.6 The application for the Intermodal Rail Freight Facility and Distribution Centre adjacent to the Skypark site was submitted in 2000 and presented to this Committee in May 2004. Outline planning permission for the Intermodal Rail Freight Facility and Distribution Centre was issued on 21 December 2007.
- 1.7 The application for the Skypark was originally submitted in 2000, however, was subsequently revised and resubmitted in 2006. The original submission was then withdrawn. The scheme was presented to this committee and given a 'resolution to grant' consent subject to the signing of a Section 106 Agreement. It is understood that the granting of outline consent is now imminent.
- 1.8 Consent for the construction of the Clyst Honiton Bypass (CHBP) was issued in March 2006 which is expected to be constructed prior to the commencement of the Science Park phase 2.
- 1.9 Science Park's strategic location in relation to the airport, railway and road network provides opportunities and scope for integrated air, rail and road travel. New cycle routes and footpaths will pass and cross this site, connecting it to Exeter itself as will a significantly improved bus service.

2.0 THE PROPOSED DEVELOPMENT

- 2.1 This outline planning application is for a high quality Science Park comprising approximately 76,450 square metres (sq m) gross of business floorspace to include science related offices, light industry and research and development uses and ancillary facilities as well as a hotel and conference centre. All matters of detail are reserved for subsequent approval.

The full description of the proposal is set out below:-

The development will include:-

Up to 76,450 sq m of gross floorspace for predominantly B1 (b) research and development uses but with some complementary B1 (a) and B1 (c) uses, and a range of ancillary A1, A3, D1 and D2 uses including a 150 bedroom hotel and conference centre, and café, restaurant, gym, retail and crèche services to support the function of the Science Park.

PLUS:-

- **Associated infrastructure including new highways access; and**
- **Strategic landscaping and open space.**

Some information related to development parameters, provided in a letter from the applicants agents dated 29th September, is included at appendix 6.

2.2 The development will be constructed in 2 phases, as follows:

- Phase 1 – this comprises up to 18,600 sq m of floorspace on a 4.46 hectare area to the south of the site. It will be a mixed use development with administration and marketing space, car parking and a 150 bedroom hotel.
- Phase 2 is split into two areas and comprises up to 57,850 sq m:
 - (i) Phase 2a is a 15.76 hectare area with three clusters of buildings on the top of the ridge, in the north east and north west corners of the site.
 - (ii) Phase 2b is a 4.32 hectare area which includes the Science Park centre which will be built at the eastern edge of the ridge where it is within easy walking distance of the rest of the site.

2.3 The access strategy on which the transport assessment accompanying the application has been based is that access for Phase 1 of the Science Park is proposed as two routes from Junction 29 of the M5 improvement on the southern site boundary. One is from the south west at the position of the existing Blackhorse slip road and one from a point near the southern end of the existing Redhayes Drive.

2.4 Access for Phase 2 is determined by the implementation of the Phase 3 East of Exeter Link which has been designed to accommodate traffic from the Science Park site and provide an additional direct link to Exeter.

2.5 A number of jobs will obviously be created in the construction industry during the site construction period, estimated at around 199 full time equivalent and once operational, it is expected that the total anticipated employment within Science Park would be up to 3,700 jobs by 2030 many of them highly skilled. The application is accompanied by the following drawings:-

- Redline / Blueline plan
- Illustrative Plan
- Phasing Plan

2.6 The Adopted University of Exeter Science Park SPD proposed the description of development as follows:

Buildings on the site shall only be utilised for the following uses within the Town and Country Planning (Use Classes) Order 2006:

1. Class B1(b) research and development of products and processes.

Or

Class B1(a) Offices or B1(c) light industry where:

The local planning authority is satisfied that there is a genuine need for the primary activity to be located on the science park due to the specific nature of the activities undertaken or involve research related interactions with local universities, major employers in the region or other occupiers of the science park.

2. Classes A Retail, D1 Non-Residential Institutions and D2 Assembly and Leisure provided that they are ancillary to the primary use of the site as a science park.

2.7 As the application is accompanied by an Environmental Statement, and a departure from the statutory Development Plan for the area, the Government Office for the South West will need to be notified of the resolution of this Committee.

OBSERVATIONS

3.0 INTRODUCTION & POLICY BACKGROUND

3.1 In its consultation response, the South West Regional Development Agency (SWRDA) considers that Exeter Science Park is a regional investment priority for the South West RDA.

SWRDA therefore supports the proposal as follows:-

Over £20m has been invested in land, infrastructure and partnership engagement to deliver this project. The Science Park is supported by a strategic objective within the Regional Economic Strategy to deliver sustainable land and premises to accommodate high growth SMEs and innovative businesses to the east of Exeter. The project will play a critical role in helping to create the conditions for productivity-led growth for Exeter. Linking with the other key knowledge-based institutions in the locality, it will help to retain, develop and promote high value business sectors and encourage innovation, research and relevant skills. The South West RDA therefore supports the proposals.

3.2 The South West Regional Assembly advises that its role is to respond to proposals in the context of a strong planning policy framework including the South West RSS, and to assess proposals in relation to their ability to deliver the Regional Economic Strategy. In this regard the proposals have been assessed by the RDA against policies strategic Objective SO1: Successful and Competitive Businesses, Strategic Objective SO2: Strong and Inclusive Communities and, Strategic Objective SO3: An Effective and Confident Region. They fully support the proposals.

3.3 Exeter City Council also considers that one of the key drivers of the Exeter and Heart of Devon Economic Development Strategy is to reduce the disparity between the cost of living and the value of local available jobs. The Science Park proposal can play a vital part in helping to retain some of the brightest young people and serve as a stimulus to

new wealth creation. Provided that car based movements are minimised and alternative modes are promoted at the earliest opportunity then the proposals are fully supported.

4.0 SOCIO ECONOMIC AND COMMUNITY EFFECTS

- 4.1 In the study of the socio-economic impact of the proposals in the Environmental Statement (ES) a detailed examination of the area's demographics, housing, economic activity, skills, occupation and productivity and employment structure is undertaken. The assessment considers the potential impacts on the local economy during both the construction and operation phases. The assessment also links to other chapters of the ES such as air quality, landscape and visual assessment and noise.
- 4.2 In relation to income, employment, education and skills conditions, the Exeter and East Devon area rank quite highly in terms of economic deprivation. Contributory factors include poor aspirations of the local residents reflected through a poor learning culture and a mixed occupational structure as well as low productivity, and low levels of household income. However, house prices within the East Devon area are significantly above average.
- 4.3 **Assessment** – The proposed development of the Science Park site will have significant positive impacts on the local economy and the local community by encouraging provision of a range of jobs including the currently under-represented knowledge based sector and providing for suitable graduate recruitment in conjunction with the University of Exeter. The scheme will also provide an opportunity to attract innovative and knowledge based businesses, coupled with the significant additional employment that will be created during the construction programme. The scheme will also provide a range of ancillary services that will compliment the existing service provision within the area. Exeter Science Park will therefore provide an opportunity to strengthen the economic role of East Devon and Exeter within the south west region.

5.0 LAND USE

- 5.1 Land is considered to be a resource, which has an associated value. The assessment of 'land use' considers the potential effects and benefits of the development upon the land use as well as the duration of the potential impacts and whether they can be reversed in the future.

The development site is located in an agricultural area east of the M5. The ES provides a summary of the general land uses at the site and in the vicinity of the site (commencing at paragraph 9.4.2). This forms the context for the assessment.

- 5.2 **Assessment Methodology** – Particular regard in this case has been given to the impact of the proposed development on the wider community, private interests, development land and agricultural activities. The magnitude of any effects has been assessed against specific criteria.

The phasing of the proposed development has been taken into account as part of the assessment. In all cases the quantum of land to be lost must be established.

The assessment includes consideration of both land and buildings, including the number and type of properties. In relation to employment uses future employees and the viability of the business is also an important consideration. In relation to public open space as a community use, this must also be assessed in terms of its status, number of users and location.

Agricultural land is considered to be a national resource. The type of husbandry must be considered, alongside the impact of any severance of the resource. The way in which works access could affect the land is also a consideration.

In assessing 'development land', it is important to consider any future changes to the land that could take place in the absence of the development, as well as land for which planning permission has already been granted.

5.3 **Predicted Impacts** – The ES advises that development of the site would result in the permanent loss of existing agricultural land. However, the development would also result in socio-economic benefits through the creation of infrastructure and accessible community and employment land. Construction would be likely to reduce the amount of land available for agriculture, and activities associated with construction traffic and plant storage may require disruption to private land due to temporary road closures. Cumulative impacts (adverse and beneficial) may arise in the context of the wider development taking place within east Exeter.

5.4 **Mitigation** – Mitigation has taken the form of revisions to the proposed layout in order to reduce the amount of land-take in respect of agricultural land and parkland, and to reduce the level of segregation between the development and the remaining agricultural land. The ES advises that the amount of land was reduced following initial feasibility studies and that this matter has, therefore, already been accounted for by the current proposal.

It is proposed that contractor's compounds would be located on the areas proposed for car parking, and that the parking areas would be built-out last, thus removing the need to use other land to accommodate the compounds.

5.5 **Assessment** – The ES advises that the scheme would result in the closure of lanes and roads around the Redhayes Estate, but this would be temporary only. However, permanent land take-up would result in the loss of some best and most versatile agricultural land (predominantly Grade 3a, but with some higher quality Grade 1 and 2). Permanent private land take-up would cover an area of 0.4ha as a result of the redevelopment of the existing Sunnymead Kennels during Phase 2b. Whilst this would arguably alter the character of the area, it is considered that the applicants have carefully considered the layout of the site, including revising the layout throughout the process, to ensure that a significant amount of open space can be retained. A management plan will be implemented to secure the varying types of open space that are to be provided for the long term.

6.0 **THE NATURAL ENVIRONMENT**

6.1 The adopted University of Exeter Science Park Supplementary Planning Document (SPD) advises that a formal Environmental Impact Assessment (EIA) will be required to accompany any Outline planning application for the development of the Redhayes site for the purposes set out within the document.

6.2 The SPD states that the Parameters Plan (which should be based on Masterplan principles) is of central importance in defining the environmental impact 'envelope' within which development and its effects will remain. The SPD further advises that the Parameters Plan should set the upper limits for the environmental impact of the development, and should present assumptions regarding aspects of the development which will be subject to EIA. Currently the illustrative masterplan does not provide sufficient information related to the development parameters and the upper limits referred to in the SPD are not clearly provided. Further information is currently being prepared, and it is anticipated that this will be reported to Members in late papers prior to Committee.

- 6.3 It is also stated that the scope of the EIA should adhere to appropriate and statutory best practice guidance and should therefore include the following key matters:
- Cultural Heritage
 - Ecology and Biodiversity
 - Landscape and Visual Impact
 - Air Quality and Climate Change
 - Noise and Vibration
 - The Water Environment
 - Geology and Soils (including contamination)
 - Socio-economic effects.
- 6.4 The way in which the EIA addresses the above matters, and other relevant environmental issues highlighted by the scoping and consultation exercise, is summarised and assessed below.
- 6.5 **Assessment** –A scoping and methodology exercise was undertaken in June 2008, which established the topics that should be addressed by the EIA.

An EIA has been undertaken and the findings of the assessment are reported through the Environmental Statement (ES) that forms a key part of the application submission.

The ES describes the scope and approach of the EIA, including the construction and operation of the scheme and the geographical area. The document describes the proposed scheme, the baseline conditions, the potential environmental impacts and effects of the proposed scheme (including cumulative impacts), and sets out mitigation measures to minimise adverse effects and addresses residual effects. Details of relevant consultation activities, key assumptions and limitations are also set out.

The proposed development is intended as an exemplar zero-carbon sustainable development scheme and the benefits of the development in this regard, and in the wider planning policy context, are addressed by the ES.

As part of the ES consideration has also been given to the benefits of developing alternative sites in the local area, and to the benefits of alternative layouts. The development of the Redhayes site via a 'cluster' approach is supported, in principle, by East Devon District Council in consultation with Exeter City Council and Devon County Council.

Without mitigation, the ES confirms that there is potential for adverse effects in respect of trees, archaeology, ecology, landscape and visual amenity and noise receptors. However, providing the mitigation measures proposed are implemented (mitigation through design and through additional measures), it is concluded that there should be no significant adverse effects in the long-term. Overall, it is considered that any residual effects would be outweighed by the socio-economic benefits of the UESP through the growth and diversification of employment opportunities.

7.0 LANDSCAPE & VISUAL IMPACT

- 7.1 The assessment of the landscape and visual impact within the ES aims to identify and assess the significance of the likely landscape and visual impacts of the proposed development upon the site and surroundings. Landscape effects associated with a development relate to changes to the fabric, character and quality of the landscape resource and how it is experienced and viewed. How a landscape is viewed entirely

alters the perceived impact despite visual effects and landscape impact being closely linked. Where adverse effects are identified, the ES highlights mitigation and enhancement measures to reduce these impacts, however, some of the mitigation measures are considered to be too vague and non-committal to address some of the more significant issues.

- 7.2 **Assessment Methodology** – The study area is the Zone of Theoretical Visibility (ZTV), the area from which there will be views of the scheme. The predicted effects the scheme are assessed through comparison with what would be the case if development does not occur. It is noted that landscape and visual impacts are interlinked but are separate assessment procedures. The effects of the development are assessed at year 2010 (commencement), 2030 (when all phases are anticipated to be complete) and 2045 (15 years after completion). The effects of construction during all phases of development are also taken into account.

The methodology is based on a number of recognised guidelines, including guidance prepared by the Landscape Institute, the Highways Agency, and Countryside Agency.

Landscape character has been assessed based on three baseline aspects:

- Elements: individual elements that make up the landscape.
- Characteristics: elements or contributions of elements that make a contribution to an area.
- Character: patterns of elements that make up a consistent recognisable pattern, and how people perceive these elements.

Landscape quality and character has been assessed based on a six-point scale (detailed in table 10.1) of quality, and a value is applied depending on the importance attached to that landscape. Landscape sensitivity and capacity is also assessed and takes account of the ability of a landscape to accommodate change. The ES recognises that the sensitivity of a landscape will alter depending on its character, the nature and extent of the development and the character of the landscape. The beneficial or adverse impacts of landscape effects are determined using a 7-point scale (see table 10.7 of the ES). The landscape architect at East Devon District Council considers that the methodology and landscape character information is acceptable.

In respect of ‘views’, the ES seeks to identify potential receptors (e.g. users of the local rights of way, residents). The sensitivity of the receptors is rated from high to low. The magnitude of changes to the landscape and its impacts are assessed in relation to the nature, degree and duration of change. The beneficial or adverse effects of impacts on visual amenity is dependent on a range of factors (e.g. angle of view, distance of receptor, seasonal variation) and has been determined by way of a matrix that identifies magnitude of impacts and receptor sensitivity. The ES includes within its assessment a summary of the landscape planning policy context. A number of published landscape character assessments have also been referred to, and a site walkover was undertaken in May 2008.

- 7.3 **Context** – The ES summarises the context in which the site is located. This context includes agricultural land and associated features, the M5, the industrial and commercial Sowton Estate, the Clyst Valley ridge, Blackhorse Hamlet and the surrounding settlements.

The local topography, drainage, vegetation, properties, land use and historic and cultural landscape features are also set out. Details of ‘lighting and tranquillity’ are also provided.

The following features of the landscape context of the site are set out within the ES and are briefly summarised below.

Wooded Redhayes Ridge:

- Prominent in the wider landscape; a continuation of Gypsy Hill
- Contiguous belt of trees, including distinctive landmark trees
- Hedges along Blackhorse Lane form evident linear features; two mature Oaks in the hedge are visually prominent.

Wooded Hilltop at Redhayes:

- This area merges with the Redhayes Ridge
- The now overgrown formal gardens of Redhayes House remain, and ornamental shrubs, and hard landscape features such as walls and gates, remain.

Northern Slopes:

- The northern slope is described as rural in nature and is considered to be characteristic of the East Devon agricultural landscape
- Views are obtainable across the fields to Killerton, Ashclyst Forest and Exeter
- The hedges along Tithebarn Lane and Langaton Lane are significant linear corridors
- 3no. mature Oaks are prominent landmarks

South Eastern Slope:

- The area is located between Blackhorse and the Redhayes Parkland
- It is arable land, rural in character
- The close proximity of the A30, airport and Exeter Business Park influences the character of the area

Redhayes Parkland

- This area is located to the south-west of the site, outside the site boundary
- A sense of place is provided by the typical parkland setting, comprising improved grassland and a variety of trees of different ages
- Many trees are local landmark features
- The parkland is considered to be locally important
- Redhayes Avenue forms a distinctive feature along the eastern boundary, in spite of being overgrown

7.4 Predicted Impacts – It is suggested that impacts would result principally from:

- New 2, 3, 4, 5 and 6 storey buildings in a rural landscape
- New roads and car parks
- Lighting

Losses are likely to occur as regards:

- Removal of hedgerows
- Removal of sections of sunken lane
- Loss of mature trees
- Overall changes to landscape character and views

There are no predicted off-site effects from excavated material or drainage regimes. The off-site impact of waste cannot be assessed as the end location of that waste is not yet known.

7.5 **Mitigation** – Mitigation in this case can be achieved through avoidance, reduction, remedy or compensation of the impact. A broad landscape framework is contained within the development framework which seeks to mitigate any adverse impact resulting from the development. This basic concept is the response to the distinct characteristics present on site and forms part of the iterative design process. It is proposed that a Landscape Management Strategy will be prepared to address detailed elements and site works required and will include early structure planting where appropriate to enhance the existing tree coverage on site. Planting in advance of construction work may also be implemented. The landscaping within the development clusters will be guided by the design codes.

Assessment – An Existing Landscape Features Framework, forming part of the Development Framework sets out seven broad landscape types which have been established through consideration of the site and its context including the neighbouring agricultural land and views both into and from the site. The most distinctive feature on site is considered to be the tree lined ridge planted with evergreen and deciduous specimens and groups. Intensification of the planting along the ridge line forms the core principle of the proposals. This approach is supported by the Council's Landscape Architect.

The overall impact of the development would be to urbanise the site and surrounding area, impacting upon its generally rural character. However, the area is subject to ongoing change as a result of the other developments on the eastern side of the M5 and already lacks tranquility as a result of traffic and aircraft noise, the railway, highway lighting, and overhead pylons.

It is proposed that a Landscape Management Strategy will set out the detail of the works required to establish the named landscape types at the site, whilst the Design Codes are proposed to lead the landscape works within each of the development 'clusters'. Whilst the preparation of a Landscape Management Strategy is supported by the Landscape Architect, there is some concern relating to the timing of this strategy and the level of detail contained within it. The outline planning application is the opportunity to secure fundamental strategic requirements such as early structure planting some of which can be implemented prior to construction, however, there is currently not a sufficient commitment to this type of provision. It is suggested that this information should be provided on a separate Detailed Structural Landscape Planting Plan to include dates of implemented and to ideally accord with the overall approved phasing plan. It is recommended that a suitably worded condition is included to ensure certainty of delivery. There is also a need for landscape to be linked with biodiversity, arboriculture and drainage to ensure that they are addressed in a coordinated way.

The ES notes that impacts will change over time as the proposed landscaping matures, and as the development progresses through each phase (it is anticipated that the strategies that will lead to the detailed implementation of the scheme will be improved as the development progresses). Overall the planted features would be greater (increased) compared to the existing situation. It is noted, however, that even on completion in 2030 much of the landscaping would still be at an immature state (only the Phase 1 tree and hedge planting would be properly established). Despite the proposed tree planting and the potential for a revised and updated design code to mitigate the impact of the development upon the landscape, it is considered that a negative impact upon the landscape setting is inevitable.

Assumptions have been made regarding the height of the proposed buildings (see paragraph 10.4.57 of the ES) as well as the average viewing height of receptors. Following a request from the Council 2 photomontages, produced from long distance views, have now been prepared which show the potential siting and scale and massing of the clusters using 'worst case scenario' quantum. Whilst these are indicative at this stage as the precise siting and scale and massing of each building within the clusters will be

determined through reserved matters applications, the photomontages clearly demonstrate that development of this site, using worst case scenario quantum, will have a significant visual impact upon the landscape setting of the site. Further photomontages are being prepared, however, at the time of writing this report, these had not been received. It is anticipated that the additional photomontages will be available to Members through the preparation of Late Papers. A more detailed assessment of landscape impact will also be prepared once the photomontages have been received.

8.0 NOISE & VIBRATION

8.1 Having regard to the location of the site to the west of Exeter Airport and forming one of a number of other developments to the east of Exeter, noise and vibration contributors around the site are 1. operational noise comprising the arrival and departure of varying aircraft and 2. road noise emulating from the M5, one of Exeter's busiest roads, and the A30 trunk road. Residential properties in close proximity of the site are identified as potentially sensitive receptors to noise and vibration. The ES provides consideration of the impact on the surrounding area of the site preparation works, construction work and potential effects of the development as a result of operations directly related to the Science Park development.

8.2 Planning Policy Guidance Note 24 (PPG24) 'Planning and Noise' states that "*noise can have a significant effect on the environment and on the quality of life enjoyed by individuals and communities*". It continues:-

"Much of the development which is necessary for the creation of jobs and construction and improvement of essential infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development. Nevertheless, Local Planning Authorities must ensure that development does not cause an unacceptable degree of disturbance. They should also bear in mind that a subsequent intensification or change of use may result in greater intrusion and they may wish to consider the use of appropriate conditions".

8.3 **Assessment Methodology** – The assessment follows current best practice. The assessment refers to a number of standards and guidance documents, listed at paragraph 11.3.1 of the ES. The study area has been defined based on the site's relationship with the nearby noise influences (roads, railway, air traffic etc) and on the location of noise sensitive properties. The assessment comprised a desk-based study, consultation activities, noise monitoring, noise modelling, and noise calculations. This has included an assessment of:

- existing noise levels
- expected change in noise levels for the existing receptors
- likely noise exposure for new receptors at the site
- assessment of the likely impacts, based on recognised assessment standards.

It should be noted that the impact of the proposed M5 Junction 29 improvements will be addressed separately to this planning application.

8.4 **Predicted Impacts** – It is predicted that noise and vibration impacts would be temporary in respect of the construction of the development, but permanent in respect of the operation of the development. However, owing to the potential period of construction it is considered that it cannot be described and assessed as temporary. It is recommended that the applicants apply for prior consent under the Control of Pollution Act 1974. The noise levels generated by construction activities would have the potential to impact upon nearby noise sensitive receptors. However, the significance of this depends upon a range of variables, including (for example) the location and power of any equipment.

The use of the proposed commercial buildings would introduce some noise into the area (when in use) in the long-term. It would also result in increased noise from road traffic. However, the assessment is based on a number of assumptions including the siting of the buildings within each cluster which, as this is an outline planning application, cannot be relied upon at this stage.

- 8.5 **Mitigation** – The ES advises that that the scheme itself can be designed to achieve appropriate noise mitigation as necessary. A maximum combined level of 72 dB(A) at 1m is suggested as appropriate in order to protect residential receptors.

A construction noise limit of 75 dB(A) is proposed. The ES recognises that some additional mitigation may be required to protect the nearest receptors. It is suggested that such matters would be addressed through the Construction Management Plan.

Examples of specific mitigation works could include:

- Preparation of method statements and risk assessments for night working.
- Fitting of exhaust silencers to mechanical equipment.
- Positioning mechanical equipment away from noise sensitive properties.
- Erection of acoustic barriers or enclosures
- Limits to core site working hours (suggested by the ES as Monday to Friday 0800 - 1800 hours and Saturday 0800 to 1300 hours).

- 8.6 **Assessment** – The study of predicted and noise vibration impacts of the development shows that there will be a change in noise levels as a result of both construction and operation. However, existing background noise levels are high. The ES advises that the noise from passing aircraft and from the A30 and M5 is evident. Thus, the ES advises that whilst it is difficult to predict the cumulative effects from noise and vibration, the siting of the proposed development in respect of existing traffic noise will serve to mask noise being generated from the site. Despite this mitigation measures are proposed.

The size of the proposed development will mean that there will undoubtedly be construction noise and whilst within the ES it concludes that this will be temporary, the length of the construction period of the development spans 25 years which is not considered to be temporary. However, it is accepted that some phases of development will be noisier than others.

Whilst the proposed improvements to M5 Junction 29 could potentially improve the environment, it is considered that the 'worst case scenario' operational impact also needs to be considered in relation to this application. A natural ventilation approach is referred to in the ES which when used will reduce the noise generated by mechanical plant. However, as this is an outline planning application, building occupiers are likely to install their own ventilation systems which will produce noise and could result in a noise nuisance if left unchecked.

An overall 'maximum' noise level (Sound Power Level) generated by the site has been proposed. Whilst this is an effective means of ensuring that noise levels can be controlled, as this is an outline planning application, it does not provide on its own an effective method of controlling noise from a range of commercial tenants. The Council's Environmental Health Officer has highlighted that this is likely to result in a number of complaints.

It is recommended that a detailed noise management plan is prepared to address the issues described. This plan will need to include a methodology to control noise from each occupier through compiling a 'noise emissions inventory' and / or an appropriate noise

model to actively assess where noise may arise. The Council's Environmental Health Officer has suggested the imposition of an appropriately worded condition to secure the preparation of this plan. The applicants have not confirmed whether they intend to apply for prior consent under the Control of Pollution Act 1974.

9.0 AIR QUALITY

9.1 As part of the Environmental Impact Assessment, the potential impacts and constraints upon air quality associated with the proposed Science Park development have been conducted. This considered the construction phase impacts resulting from development of the site as well as the impacts resulting from the ongoing operation of the site following completion of the development. The ES advises that air quality in East Devon and Exeter is generally good, but with elevated concentrations of pollution along main routes in Exeter, and at Honiton Road in East Devon.

East Devon District Council has not declared an Air Quality Management Zone, and the nearest air monitoring station in EDDC is located approximately 1.5km north-east of the study area. The 'Exeter Air Quality Management Zone' is located in the relative vicinity of the site, but this defined zone is located approximately 1km to the south/south-west of the study area.

The proposed scheme has the potential to impact on air quality as a result of emissions during construction (dust and exhaust emissions) and operation (vehicle and heating plant emissions). This has been assessed using a combination of quantitative and qualitative methods.

The air quality assessment considers the impacts on local and regional air quality resulting from the operation of the scheme, principally, although not exclusively, as a result of changes to traffic flows on the local road network. Air quality impacts are assessed at all sensitive receptors, where the public could be exposed to atmospheric pollution. Notwithstanding the fact that the ES purports to address climate change in association with Air Quality, this matter is not in fact addressed within this section of the report.

9.2 **Assessment Methodology** –The spatial scope of the study is defined by DEFRA's Local Air Quality Management Technical Guidance. The study identifies areas within 100m of potential construction activities and within 200m of routes and assesses these within the parameters of four named criteria in the opening year. The technical scope of the study is defined by the government's Air Quality Strategy. Baseline air quality conditions for 2008 were also obtained from the National Air Quality Archive, local air quality management reports, and from data in relation to the M5 Junction 29 improvements. Various other best practice guidance and legislation has also been relied upon and is listed separately within the ES.

Modelling of local air quality and roadside pollutants has been considered both with and without the development, up to 2026. Baseline conditions and receptors are established by the ES. Ten receptors were selected for assessment purposes that are considered representative of a sample of pollution concentrations within the study area. Eight future receptors within the proposed scheme were also considered.

Construction effects have been assessed qualitatively and focus on the construction of the site, site activities and the management of the construction site. Sensitive receptors adjacent to polluting activities are identified and allocated a risk score. The assessment addresses:

- The surrounding environment, sensitive receptors and any Air Quality Management Areas.

- The proposed development, including the purpose of the development and period of development.
- Construction activities including vehicle movements and dust generating activities.

The overall risk is evaluated and appropriate mitigation measures are then set out.

Operational effects are assessed by way of Transport Assessment data, spreadsheet calculations and dispersion modelling. Five scenarios have been modelled. The screening process assessed concentrations of benzene, 1,3-butadiene, carbon monoxide and particulate matter at receptors. Detailed modelling was used to assess nitrogen dioxide concentrations over the whole study area (the ES considers this to be the pollutant of greatest concern). Background data was used to inform the assessment.

- 9.3 **Predicted Impacts** – The ES advises that there are no universally accepted criteria for assessing the significance of air quality impacts; however, the methods broadly outlined above have resulted in a number of predicted impacts.

Construction

Predicted impacts are based on the assumption that control measures will be put in place.

Temporarily increased traffic flows are predicted, particularly at J.29 of the M5. This may result in increased emissions on affected routes, worsening local roadside air quality.

The most likely affected receptors are Sunnymead (on site), Redhayes Lodge and properties at the western end of Blackhorse. The commercial properties at the Science Park itself would also be affected once developed.

With the exception of Sowton Lodge (where significant effects are not considered to be likely given its position near the A30 and 300m south of the proposed scheme), it is anticipated that baseline air quality will be well within air quality objectives.

The potential for dust generation is dependent on a wide range of factors, including weather conditions. It is anticipated that the greatest potential for dust generation will come from earthworks, handling and stockpiling of materials, haulage roads and unsealed surfaces, wind blow across disturbed surfaces and mechanical operations.

Operation

It is predicted that the change in pollution concentrations between the baseline of 2005 and the opening and completion years, will be pollution dependent and variable spatially and temporally.

It is anticipated that PM₁₀ and carbon dioxide emissions will decrease over time. This is due to a decrease in background concentrations, but in the case of PM₁₀, also as a result of new cleaner vehicles offsetting predicted increases in vehicle numbers.

Concentrations of nitrogen dioxide are predicted to increase to 2012 but remain within air quality objectives (with the exception of Sowton Lodge), and decrease to 2026 at the majority of receptors. Again, this is as a result of reduced traffic emissions per vehicle offsetting the effect of traffic growth.

Concentrations of benzene and butadiene increase to 2026, but are predicted to be offset at the majority of receptors by decreasing background concentrations. Concentrations are nevertheless considered by the ES to be well within their respective objectives.

- 9.4 **Mitigation Measures** – The ES concludes that, as operational impacts are minor-adverse at worst, no mitigation of local or regional air quality is required.

No significant effects on air quality are anticipated as a result of construction, providing that dust during construction is controlled, and an outline Construction Environmental Management Plan prepared, and a detailed Construction Environmental Management Plan subsequently formally prepared and implemented.

Examples of mitigation measures could include wheel washing at site exits and the covering of loads. The ES advises that visual inspections should be required and weather conditions taken into account in works planning. General, but detailed, examples of mitigation measures are set out at paragraph 4.8.4 of the ES.

- 9.5 **Assessment** – The ES concludes that the potential for construction pollution is significant, but temporary. A number of potential sources of pollution have been identified, but there are few receptors affected and subject to the enforcement of mitigation measures (set out below), nuisance or ill effects should not result. In respect of operation, local pollution concentrations are (with the exception of nitrogen dioxide at Sowton Lodge in 2012) within their respective objectives at the identified receptors. However, there appears to be only Nitrogen Dioxide Diffusion Monitoring taking place and for such a large application, it was anticipated by the Council’s Environmental Health Officer that continuous monitoring would be taking place with further monitoring to be required by a suitably worded condition with reports provided at appropriate intervals. Furthermore, Sowton Lodge appears to be exceeding relevant air quality criteria and the Council’s Environmental Health Officer considers that it is likely that an Air Quality Management Area (AQMA) will have to be declared at or close to this location.

It is stated within the ES that pollution concentrations are likely to increase along the new route into Exeter north of J.29, but are largely insignificant elsewhere. However, the assessment does not consider the impact on Exeter and Honiton as they are considered to be outside the study area. The Council’s Environmental Health Officer considers that air quality does not naturally have boundaries and therefore, an assessment should be made.

It should be noted that the assessment of operational effects in respect of improvements to the highway network is based on cumulative effects on local air quality that take into account traffic data for all development outlined in the Draft Regional Spatial Strategy, including Exeter Airport, Cranbrook and Exeter Gateway.

10.0 **TRAFFIC GENERATION**

- 10.1 A Transport Assessment (TA) and Travel Plan (TP) have been submitted in support of the planning application which are summarised in the ES and address traffic impact, pedestrians, cycling, public transport and future transport proposals. The TA identifies that the development of Science Park will result in an increase in traffic, and also recognises that the other East of Exeter developments will have an impact on traffic. However, the assessment is based on a ‘worst case’ scenario of 79,600 sq m when the maximum scale of development outlined in the Development Framework is identified as 76,450 sq m.
- 10.2 The Transport Assessment is based on both a ‘Do Minimum Scenario’ (Without the Science Park) and a ‘Do Something Scenario’ (With the Science Park). The future modelling assessment year for both scenarios is 2026 where it is assumed that Phase III will be implemented. Phase III includes implementation of the Clyst Honiton Bypass, improvements to M5 Junction 29, Phase 3 East of Exeter Link (emerging) and development of 7500 houses

at Cranbrook, the entire Skypark Development, Exeter Airport Development, IMFT (Gateway) and 79,600 sq m at Science Park.

- 10.3 A revised Transport Assessment was prepared and submitted following an initial holding decision that was issued by the Highways Agency (HA). The HA raised initial concerns in relation to the use of data from the 'Cambridge Science Park' which is considered to be an 'aspirational site'. The HA considers that the Cambridge trip rate which is over 25% lower than the trip rate jointly agreed in the October 2006 Phase 2 Access Strategy for the Exeter Science Park is unlikely to be achieved. Following discussions the highways consultant Parsons Brinkerhoff provided TRANSYT files to the Highways Agency to form part of their consideration process. Parsons Brinkerhoff agreed the technical work forming part of the Transport Assessment with the Highways Agency. The Local Strategic Highway Authority Devon County Council supports the proposals subject to appropriately worded conditions and the signing of a Section 106/278 agreement.
- 10.4 The Highways Agency welcomed the preparation of a revised Transport Assessment, however, have drawn the applicant to some outstanding issues relating primarily to sustainable transport. The Highways Agency issued a TR110 Direction relating to Grampian Conditions. However, it has been established that these issues can be dealt with through a combination of a Grampian condition for the access strategy to serve Phase I of the Science Park and a Section 106 Clause to deal with the anticipated access for Phase II. As such, the Council has requested that the Highways Agency partially revoke its Direction. At the time of writing this report agreement had not been reached and therefore, Members will be updated on this issue prior to the Committee meeting.
- 10.5 **Travel Plan** – The applicants have advised that the Travel Plan is an evolving document that will require further survey work and the adjustment of targets. This is a Framework Travel Plan covering the whole site and it will be necessary for each building / employer to produce a Travel Plan following occupation of their business unit(s). The Highways Agency welcomed the preparation of this document, however, considered that more specific targets for operation should have been included. The HA requested a revised version of the Travel Plan, however, this had not been prepared at the time of writing this report.
- 10.6 The TA and TP set out measures which will be incorporated at Science Park to discourage people from travelling to work by car, and in particular single occupancy trips. It is proposed that 73% of people will arrive at Science Park by car (37% single occupancy car and 36% car share). Accordingly a maximum of 1855 car parking spaces are required on site to cater for the predicted 2,600 employees. The number of spaces to be provided for the hotel and conference centre is in accordance with PPG13 maximum standards, however, it is proposed that the total number of spaces for the remainder of the site will be 20% lower than PPG13 maximum standards. A robust Travel Plan for each element of the scheme will be required to demonstrate how the proposed parking provision can be effectively managed and there is concern that the higher rates of parking provision for Phase 1 will have a significant impact on the formation of travel habits across the Science Park in the future.
- 10.7 It is proposed that 398 cycle parking spaces be provided to serve the B1 uses. It is recognised that adequate cycle parking will need to be provided at each building across the Science Park.
- 10.8 Public Transport – The TA examines the existing bus service in the vicinity of the site and concludes that in general the existing services that pass the site are infrequent and therefore not sufficient to serve the Science Park development. Accordingly the TA identifies a number of improvements to the current provision including a range of services that are identified as part of the East of Exeter developments providing a link with Exeter City Centre. The TA appears to assume that this link will already be in place when

Science Park is developed, however, there does not seem to be any guarantee that this will definitely be the case.

- 10.9 The TA refers to early discussions with Stage Coach who have identified the possible extension of local bus routes to serve the Science Park.
- 10.10 The nearest railway station is situated in Pinhoe approximately 2km from the site. Although no provision is made for improvements to this facility, improved linkages from the site to the railway station are included. A new railway station is proposed as part of the new community to the east of Exeter, however, Science Park will not benefit from this proposal.
- 10.11 Highway Access & Junction Layouts – The strategy contained within the TA sets out the major transport infrastructure that is required to serve the major developments to the East of Exeter and Science Park which include:-
- Clyst Honiton Bypass – A 7.3m single carriageway providing access to the Cranbrook New Community and Sykpark. This will be delivered as part of these schemes.
 - M5 Junction 29 Improvements – A scheme for further highway improvements to the local and strategic highway networks to accommodate the proposed development to the east of the M5 including Science Park.
 - Emerging Phase 3 Infrastructure (Tithebarn Link) – A link to the north of the Science Park is required to accommodate additional houses at Cranbrook and full development of the Science Park. This link would connect to Honiton Road to the east and Monkerton Link to the west. The link is necessary to encourage traffic away from Junctions 29 and 30 of the M5.
 - M5 Segregated Crossing – This proposal which has been awarded CIF funding will provide for the widening of the existing Tithebarn Bridge and the provision of a segregated crossing for pedestrians and cyclists at Gypsy Hill / Blackhorse Lane.
- 10.12 Cycle / Footway – A variety of routes are provided across the Science Park site that are intended to connect Blackhorse Lane with Junction 29 and the proposed Phase 3 East of Exeter Link (Tithebarn Link). These links are shown on illustrative plans forming part of the outline planning application. However, the precise location of the Phase 3 link road is yet to be confirmed. It is proposed that no signalised crossing points be provided on site; instead the routes will be shared spaces that will be designed to ensure slow speeds.
- 10.13 Assessment – Devon County Council as Local Highway Authority recognises the importance of Science Park to the delivery of Strategy Development Objectives in the Exeter sub-region and therefore, supports the proposals. The Highways Agency raised some concerns in relation to the use of the Cambridge Science Park as the basis for the modelling methodology as they considered that this site was too ‘aspirational’ to provide an appropriate comparison. Following these comments, a revised TA was prepared and submitted to the HA along with the TRANSYT assessment as requested. However, at the time of writing this report, revised comments have not been received from the HA.
- 10.14 The TA relies on assumptions related to the implementation of key infrastructure to serve the Science Park and other east of Exeter developments. This includes the J29 improvements and the implementation of the Phase 3 Tithebarn Link. However, there is currently no guarantee that these improvements will be delivered and despite the suggestion of Grampian Conditions which include an alternative option, and which are supported by DCC and the HA, an alternative option has yet to be tested, and the existing infrastructure is unlikely to be sufficient to serve traffic generated from the Science Park.

10.15 Should these improvements be delivered as indicated, then the future year modelling shows that the impact on the highway network can be satisfactorily addressed including the use of improved bus and cycle / pedestrian links across the site. DCC and the HA have not raised any specific concerns related to highway impact at the time of writing this report, subject to the imposition of suitably worded conditions and the applicants entering into a Section 106 to secure the delivery of essential infrastructure.

11.0 DESIGN & ACCESS

11.1 The Design and Access Statement submitted as part of the Science Park application states that the Science Park proposals have been developed to create an exemplar sustainable development that provides high value skilled jobs and which expresses the status of Exeter as a centre for research, innovation and environmental awareness. The vision for Science Park set out in the box below seeks to reinforce a new understanding of science park development within the region.

A Vision for Science Park

“The Exeter Science Park will be a low density zero-carbon urban area arranged in a beautiful composition of buildings and landscape on the Redhayes Hill. It will be the focus of a creative and innovative scientific community and act as the commercial face of the region’s centre for research and innovation”

11.2 Although these are worthy aspirations, it is also considered important that these are clearly defined and balanced against design, sustainable transport, sustainable construction and mitigating environmental impacts, climate change and the use of renewable energy.

11.3 The vision and scheme principles focus on creating an exemplar sustainable development that is unlike other more traditional science parks being developed in other parts of the Country. It is therefore important to define the benchmarks upon which the Science Park can be assessed. The statement sets out five core sustainable development objectives that respond to the priorities of the development proposals:-

- Effective Protection of the Environment
- A healthy economy
- Prudent use of natural resources
- Provide green transport alternatives
- A strong community

Effective Protection of the Environment: The need to challenge the traditional science park model to encourage a place with a distinct identity and that relates to the landscape is included under this heading. However, it is not clearly defined how this is to be achieved. Landscaping and mitigating against impacts on the existing landscaped environment will be the primary way in which the Science Park can reflect the character of the surrounding area. However, the site is bounded by the M5 motorway, A30 and other planned developments further to the east. Therefore, although the area is predominately rural in nature at the present time, this is likely to change over the coming years. It will be necessary to consider place making not just in the current context but continuously as the area surrounding the site begins to alter. Furthermore, the construction period covering a period of approximately

20 years will inevitably impact upon the landscape, particularly in relation to arboriculture and ecology. Careful management of key features and species will be essential.

A Healthy Economy: The Science Park aims to be a leading regional centre for science based business and be commercially sustainable, responding to changing needs and market demand. The intention to implement whole life costing is positive and will help to contribute to the longevity of the buildings as long as the design and function of the buildings is also carefully considered and the economic priorities do not override other important considerations such as environmental impact.

Prudent Use of Natural Resources: It is intended that the proposals will make efficient use of land and ensure that resources are used prudently. The development of the scheme has included a commitment to 20% CO2 reduction targets at all stages and an ambition to achieve BREEAM 'excellent' ratings across all buildings on site. Some further details are required to set out how this can be effectively implemented through the detailed design stages.

Provide Green Transport Alternatives: The location of the Science Park between Exeter and the East Devon New Growth Point Area has been designed to maximise integration with surrounding communities through the use of sustainable transport options. The implementation of strategic walking and cycling routes and the provision of new and improved public transport linkages through the site will help to reduce reliance on the use of the private car.

A Strong Community: It is intended that the development of the Science Park will forge good links with surrounding communities through the provision of accessible open space and access to facilities on site. However, the Science Park should not detract from existing facilities, for example, through the use of on-site retail facilities that could potentially become primary uses. The phasing of the development is also an important consideration in terms of the timeframe for the implementation of the proposed community facilities.

11.4 **Layout** – From the indicative Masterplan layout it would appear that the proposals are based on a cluster design whereby buildings are located in small clusters at six different locations across the site. These clusters will create unique scientific communities designed primarily to respond to the landscape setting of the site and important landscape features as well as the varying topography of the site which is described as the fundamental building block of the site. The clusters were considered to be the best way to develop the site as there a number of specific advantages with this approach including, the grouping of the clusters to create attractive compositions when viewed from the M5 and, the opportunity to create large areas of landscape that relate to context. The key challenge in relation to the cluster approach is to ensure high standards of design and quality is translated through each of the clusters. Operational surface level car parking will be provided as part of each of the clusters. Car parking for the phase 1 hotel and conference centre will be provided in accordance with PPG13 standards with the remainder of this phase providing for 80% of PPG13 standards. Phase 2 will provide up to approximately 24,000 sq m of car parking which equates to approximately 1 space per 2 employees. This should be carefully sited to minimise its impact on the landscape setting particularly in relation to views from the M5 and A30.

11.5 From a design perspective the challenge will be creating effective linkages between each of the clusters and the open space that surrounds them to ensure that social interaction is maximised. The potential to create strong communities is included in the objectives for the scheme, however, if each of the clusters is intended to be an individual community and physically separated from the others then this seems rather unlikely. This is particularly important in relation to Phase 1 which comprises a range of uses that are somewhat separate from a science park use.

- 11.6 **Building Heights** – Building heights information is provided for each cluster within the design and access statement. Building heights range from 1-6 storeys across the site with the tallest elements of the development forming part of Phase 1. The maximum height is considered necessary to create visual impact and a gateway to the site at the southern part of the site, with the tallest buildings located at the bottom of the slope, reducing in height towards the high point of the slope. The two clusters on the ridge propose between 2-3 storey development to minimise impact and the remaining clusters propose between 1 and 5 storeys, predominantly 4 storey development in some parts of the development.
- 11.7 The Science Park SPD suggests a maximum building height of 5 storeys which equates in that document to 64 metres. The applicant has informed the Council that despite phase 1 indicating a 6 storey building, this will not exceed the maximum building height of 64 metres. It is considered that the information currently provided in relation to building heights is not sufficient to adequately assess impact. The applicant agreed to provide more specific information related to building heights which was included in a letter from the applicant's agent dated 29th September 2009 (Appendix 6). This information confirms that maximum building heights for each cluster are in accordance with upper limits contained within the Science Park SPD. However, the visual impact of the development can only be properly assessed using recognised aids such as photomontages. These are currently being prepared by the applicant's agent and an assessment will be provided for Members in advance of the Committee meeting.
- 11.8 **Clusters** – Each cluster is intended to have a different character that will reflect its immediate context and geographic location. General details are provided about each cluster including indicative information related to building heights and layout as well as plot ratios. Whilst it is accepted that this is an outline planning application with all matters reserved and there is a recognised need to retain flexibility for future occupiers, it is considered that there is insufficient information related to development parameters to provide any clarity at this stage. The applicants have agreed to provide more specific information and development parameters including maximum and minimum floorspace quantum. Further information has been provided in a letter from the applicant's agent dated 29th September 2009, however, further clarification is still awaited. Members will be updated accordingly when the required information is available and has been assessed.
- 11.9 **Access and Movement** – The main point of access to the site will be taken from the A30 subject to improvements to Junction 29 of the M5 to provide sufficient additional capacity to the road network. These improvements do not form part of the Science Park application. This route travels northwards through the site and provides another access / egress point onto Tithebarn Lane on the northern boundary of the site. The main route is to be served by a number of secondary routes within the site that will provide access to each cluster and its associated car parking. There is some concern that the road structure is weak and vehicle dominated.
- This main route is proposed to serve the Science Park and other Exeter and East Devon Growth Point Projects. A public transport hub is to be provided along this main route and there is potential for existing bus services to be extended and diverted through the site.
- 11.10 **Pedestrian/Cycle Access to the Site** – A set of traffic free routes is shown in both the Transport Assessment and the Design and Access Statement (Figure 41). This includes the closure of Blackhorse Lane, Langaton Lane, and the former Redhayes Driveway to vehicles and pedestrian and/or cycle linkages. Tithebarn Lane is also likely to close to vehicles and become a pedestrian / cycling priority route subject to the positioning of the new Phase 3 link road which is yet to be established. The internal routes are considered to be well connected both with each other and as part of the wider transport network. Future possible links over the M5 will provide enhanced access by non-car modes.

- 11.11 Assessment: There is no doubt that the character of the area within, and in close proximity to the Science Park site will change over the next few years and this presents an important opportunity to ensure the quality of the built form of the area, particularly as the site represents a highly visible gateway owing to its prominent position and well known landscape features. The aspiration to create an exemplar sustainable zero-carbon scheme, detached from the usual form of Science Park developments, is certainly welcomed. However, it must be clearly demonstrated through the Sustainability Strategy, Landscape Management Plan and Construction Environmental Plan how this it be achieved and how this vision can be maintained throughout the different phases of development.
- 11.12 The Design and Access Statement is considered to adequately set out the design approach. This view is supported by the Urban Design officer at Exeter City Council. However, an outline scheme of this nature and scale and supported by an illustrative masterplan must be guided by clear development parameters including maximum and minimum floorspace quantum and building heights to provide clarity to the forthcoming phases of the planning process. Although the applicant has provided some information within the Design and Access Statement, this is not considered to be sufficient to assess the impact of the development or to effectively guide the detailed design process.
- 11.13 The applicant has agreed to provide further information in this regard, however, at the time of writing this report, further clarification is still required. Once sufficient information is received, this will be reviewed and Members will be advised in the form of an update to this report.

DESIGN CODING

- 11.14 A set of Design Codes have been prepared to identify a process to guide the sustainability, design, layout and implementation of the development through the detailed design stages. The codes are intended to set out key principles that should be followed when designing specific elements of the Science Park, it is fundamentally a set of 'rules' intended to guide key elements of a scheme. The illustrative masterplan is one iteration of how the Development Framework and the Codes can be applied. Although the code is very detailed and includes high aspirations in conjunction with the masterplan, it is considered that it currently provides a very broad minimum standard that is not sufficient to guarantee the delivery of high quality individual buildings through subsequent reserved matters planning applications. It is suggested that planning conditions are attached to the code requiring its revision and re-submission as part of the reserved matters process. This view is supported by the Urban Design Officer from Exeter City Council.
- 11.15 **The Development Framework** comprises a series of plans which are intended to guide the essential structural components of the Science Park throughout the 20-25 year construction period. The Development Framework comprises a number of elements which are considered to interact to guide the development as follows:
- Built Form
 - Landscape – Existing Features
 - Car Parking
 - Movement and Access
 - Public Space
 - Public Transport

- Landscape Character
- External Lighting
- Sustainability

11.16 The Development Framework has been specifically designed to retain flexibility throughout the build programme; however, this does not provide any certainty or clarity at this stage that individual buildings forming part of each cluster will be of a high standard of design quality as set out as part of the aspirations of the design codes.

11.17 **The Design Codes** are intended to deliver fundamental aspects of the development. The applicant considers that these fundamental aspects for all developments are:

- the form and massing of buildings in relation to views of the site and its landscape context;
- the performance of visually or physically accessible streets and spaces, in particular how they integrate design, pedestrian, cyclist and vehicular functions;
- the scale, form and mass of building blocks / plots relative to the intended use;
- the activity and diversity of the 'edges' of each of the blocks.

11.18 The Code is divided into four parts, the Swatch Code, Access Codes, Parking Codes and Cluster Codes.

11.19 **Swatch Code:** This code relates to materials and colours to be used as part of the Science Park development based on context and environmental performance. This code does not set out a specific palette of colours or materials that are to be used as part of Science Park. However, sets out that each cluster should have a limited palette that should be agreed before the commencement of each phase of development. It is not suggested however, that each cluster should have the same palette. The palette is intended to set a 'background tone', however, feature buildings can stand out and use a distinctive palette of materials and colours.

11.20 **Access Codes:** The Access Code sets out more detailed specifications for Science Park Drive, Phase 1 Street, Secondary Drives, Pedestrian / Cycle Lanes and Pedestrian Paths. Each of the codes addresses vision, core functions and objectives and includes very detailed information related to scale, street dimensions, design criteria and typical materials. The Urban Design Officer considers that the streets are too vehicle focussed and suggests that a more balanced approach is taken with greater priority given to pedestrians and cyclists. It is considered that detailed aspects of road layouts can be effectively dealt with via conditions and through revisions to the Design Codes.

11.21 **Cluster Codes:** The development framework divides the development in a series of clusters. This approach accords with the Science Park SPD. The Cluster Codes set out parameters for each of the six clusters and within each Cluster Code area, more detailed Block, Edge and Space codes are specified. The Block codes set out parameters for each cluster including scale and massing, permeability, infrastructure and facilities and uses. Edge codes are conditions which affect each cluster such as views, orientation and the need to create enclosure. Space codes set out parameters for spaces within each cluster which are fundamental to layout, image, spatial quality and creating a focus within each cluster.

11.22 Each cluster code includes a vision, a brief review of location and features and topography and orientation. Each block code includes information related to scale and

massing, permeability and facilities and use including guidelines related to plot ratios, height ranges, typical build size ranges and typical floorplate ranges. Each block, edge and space code also includes information related to vision, architectural drivers, objectives and design criteria.

- 11.23 **Assessment** – The Development Framework and Design Codes are very detailed. They set out a broad ranging minimum standard of design quality to inform the detailed design of each cluster. It is recognised that this is an outline planning application and there is a need to retain flexibility to ensure commercial viability. However, Design Codes should be a set of specific rules that guide the physical development of a site and they should provide clarity as to what constitutes acceptable design quality. Currently the Codes are not considered to be sufficiently detailed to provide the necessary clarity and there is a concern that the Codes do not guarantee the delivery of high quality buildings. It is suggested that the Design Codes be refined in accordance with the reserved matters applications for each phase of the development.

12.0 **SUSTAINABLE DEVELOPMENT**

- 12.1 The ES recognises that sustainability is an integral and fundamental part of National Planning Policy Guidance as set out in PPS1: Delivering Sustainable Development. It is intended that the Science Park will be an exemplar sustainable development that adopts key sustainability management tools such as CEEQUAL (Civil Environmental Engineering Quality Assessment and Award Scheme), BREEAM (Building Research Establishment Environmental Assessment Method) and the BRE (Building Research Establishment) Green Guide to Specification. A target to achieve a BREEAM 'Excellent' rating has been set for all buildings forming part of the Science Park, however, it is not expressly clear how this is to be delivered at this stage.

- 12.2 **Impact** – The scheme has the potential to impact on a wide variety of individual and inter-related receptors encompassing society and communities, the environment (including the use of resources) and the economy. Three key phases are identified within the ES, where there is potential for impacts to arise, are as follows:

Design – Planned specifications do not take into account the whole-life sustainability of goods, products, services and decisions, have the potential to impact both construction, operation and in many cases, further development / decommissioning.

Construction – Impacts arising during the construction phases are typically perceived by the public to be the most severe and disruptive. By virtue of the nature and scale of the proposed scheme in operation, however, construction impacts will predominantly be short-lived by comparison.

Operation – In operation, impacts of sustainability will be manifested by the residual effects that cannot be practicably controlled through careful design or management. These effects are typically perceived by society to be of lower impact, presuming that balance in sustainability has been achieved (and demonstrated) in earlier stages.

- 12.3 **Mitigation** – Many of the impacts are considered to be addressed by other mitigation measures set out in the ES and therefore, no specific mitigation measures are proposed. However, a Sustainability Strategy has been prepared as part of the outline planning application. This will need to be updated in advance of the detailed design being undertaken and will act as an overarching benchmark to guide design, construction and operation.

- 12.4 **Assessment** – Whilst the general approach and aspiration to create an exemplar sustainable development is welcomed, on receipt of the outline planning application it

was considered that the Sustainability Strategy or the ES assessment did not go far enough in terms of demonstrating how this is to be achieved particularly in relation to meeting the objectives within the UESP SPD to increase energy efficiency and utilise zero carbon or renewable sources. However, other potential energy solutions are being explored and the precise details of any such system will evolve through the detailed design stages.

This is an outline application and therefore, it is accepted that some details will be forthcoming at the detailed design stage. The strategy is expected to include specific details outlining how the aspirations in the current Sustainability Strategy can be turned into measureable targets.

13.0 WATER RESOURCES, FLOODING & DRAINAGE

- 13.1 The proposed scheme may result in both direct and indirect impacts on the water quality, flooding, drainage and the hydrology of the study area. The assessment has been separated between surface water and groundwater. Indirect effects could occur off-site and are thus also considered by the assessment.

Receptors with the potential to be impacted by the proposed scheme include surrounding surface water features including the River Clyst and its tributaries Pin Brook and Great Moor Stream as well as any underlying groundwater or aquifers, and also any identified floodplains or flood sensitive areas.

Flood Risk – Although the FRA confirms that the site is located in Flood Zone 1 and is therefore considered to be at little or no risk from flooding, PPS25: Development and Flood risk requires all development sites greater in size than 1 hectare to prepare and submit a Flood Risk Assessment. The FRA submitted as part of the application concludes that the proposed scheme would not be vulnerable from other sources of flooding and that it would not increase flood risk elsewhere due to surface water runoff generated as a result of a reduction in permeable area. However, the Environment Agency has confirmed that they do not hold any reliable flood water levels for the River Clyst and Pin Brook.

- 13.2 **Assessment Methodology** – The study area includes all receptors within the site and within approximately a 1km radius of the site boundary. Receptors in this case include surface water bodies, underlying groundwater or aquifers, and floodplains and areas sensitive to flooding. The assessment of potential impacts follows current best practice guidelines and standards. Relevant legislation and guidelines are highlighted by the ES at paragraph 17.3.1. A detailed study has been undertaken of all existing relevant baseline information relating to current surface and groundwater conditions, abstractions, discharges, aquifers, groundwater protection zones, floodplains and flood sensitive areas. A site walkover has also been undertaken. Impacts have been assessed in accordance with recognised criteria.
- 13.3 **Predicted Impacts** – Potential impacts from construction could include the risk of pollution resulting from accidental spillages, increased surface runoff, increased traffic and the reduction of water quality in watercourses from stripped surfaces. These impacts are generally temporary.

Potential impacts from operational development may comprise (for example):

- Increased surface water runoff
- Changes to the water quality of surface and sub-surface water bodies (e.g. as a result of spillages)

- Increase in impermeable area resulting in a consequential reduction of groundwater recharge.
- Deterioration of water quality

The permanent effects on the water environment arising from the proposed development are therefore an increased risk of surface water flooding, and an increased risk of pollution of surface and sub-surface water systems. No cumulative effects are anticipated.

- 13.4 **Mitigation** – The proposed mitigation at construction stage could include the use of bunds/interceptors to prevention of runoff, and the use of cut-off ditches to prevent run-off entering construction trenches (for example).

Appropriate drainage design (SUDS) techniques would minimise the storage volume and control surface water runoff, and would control pollution (potentially in conjunction with other techniques).

- 13.5 **Assessment** – The site lies in a Flood Zone 1 (less than 1 in 1000 annual probability of river or sea flooding in any year). The Environment Agency has confirmed that they support the proposals as long as the scheme is implemented in accordance with the FRA.

Surface water features identified within the study area include the River Clyst and its tributaries, Pin Brook, and Great Moor Stream. As surface water runoff would predominantly be discharged locally via infiltration, the ES advises that the development would not increase the risk of flooding downstream. Surface water runoff generated by the increase in impermeable area could, however, cause local changes to drainage patterns, which could affect flood risk elsewhere in the catchment.

The ES advises that during operation, surface water runoff would be addressed by sustainable drainage techniques, such as swales, soakaways and wet grassland (the latter being developed as part of the proposed habitat creation). The use of these sustainable techniques, and use of oil separators, should prevent potential water quality impacts to groundwater resources. It is noted that the ES advises that it will not be possible to use infiltration techniques in the southern part of the site due to the nature of the existing ground, but that this part of the access road (Highway 1B as indicated in the Drainage Strategy) would drain to the surface water drainage system within the A30 slip road (providing that the HA agree with this approach).

The majority of the study area is underlain by a designated Major Aquifer. The north of the study area is underlain by a designated Minor Aquifer. Soils at this location are highly permeable and prone to transferring contaminants. The magnitude is considered to be “moderate adverse” over the major and minor aquifers on site and “slight adverse” over the non-aquifer in the centre of the site. The increase in impermeable area could result in a lowering of groundwater levels and flow. However, the use of infiltration techniques across the site would compensate for any reduction. Therefore the effect on groundwater is considered to be neutral.

Overall, the majority of impacts would be at construction stage and are concluded to be “temporary, localised, of negligible significance and relatively easy to mitigate”. If best practice measures identified in the ES, the Contract Specification and the outline Construction Environmental Management Plan are implemented, there would be no major adverse residual effects to the water environment. Nevertheless, the impacts of the greatest sensitivity, associated with surface water runoff and water quality impacts to groundwater resources, are concluded to be of potential concern. Furthermore, there is concern that the creation of any open water bodies, such as ponds, may attract waterfowl which could endanger air traffic from Exeter Airport. The SPD highlights that careful

design and planting of any water bodies will need to be considered and future discussions with the airport authority will be necessary.

14.0 ARCHAEOLOGY AND CULTURAL HERITAGE

14.1 Following the undertaking of an independent desk based assessment, the ES attempts to quantify the presence of important resources at the proposed scheme in relation to the archaeological resources and upon the cultural heritage of the site and surrounding area. A plan of archaeological and cultural heritage features has been prepared and submitted as part of the ES appendices (figure 6.1). There is evidence of some archaeological features within the development site and of particular interest is the alignment of the Roman Road on the southern site boundary associated with the A30 and possible ring ditches in the area east of the Redhayes Driveway.

14.2 **Assessment Methodology** –The methodology takes into consideration relevant planning policies and the Ancient Monuments and Archaeological Areas Act 1979. It also takes into account a variety of secondary data sources including publications, plans, maps, aerial photographs and records, as well as including primary information through a walkover of the site in August 2009, and the monitoring of test pits in November 2008.

The presence and importance of the archaeological and cultural resource has been identified based on the above methodology and rated according to named criteria. The ES advises that the appraisal of the magnitude of impacts derives from the extent or proximity of the proposed scheme to the resource. The ES advises that the significance of the effect is, however, dependent on the magnitude of the impacts and the cultural heritage resource, and is considered to be 'significant' when a defined threshold is exceeded.

A number of assumptions have been made where the nature and importance of the resource cannot otherwise be defined. No other fieldwork has been undertaken and the ES acknowledges that this makes the potential for discovering the unknown remains difficult.

14.3 **Predicted Impacts** – The ES separates impacts into direct and indirect impacts.

Direct impacts include:

- primary direct impact through destruction of the resource;
- secondary direct impact resulting from destruction by other means (e.g. waterlogging, compression); and
- direct impacts on the setting of a resource (e.g. noise, visual intrusion, dust).

Construction works are often responsible for direct impacts. Examples of indirect impacts might include the severance of a resource from its context, or the loss of public access to a resource. The proposed scheme would have a number of physical, direct impacts on the archaeological resource as a result of site clearance, groundworks and the insertion/diversion of services. It is also considered likely that the scheme will impact on hedgerows within the site or at the site boundary.

14.4 **Mitigation** – The ES considers that the decision to retain key features effectively removes the need for mitigation of those features; however, the archaeological resource will need to be ensured and the ES advises that a mitigation strategy be prepared at a future date. This may require retention of deposits in situ, or by excavation and recording.

Assessment – The development site is located in a moderately well preserved historic landscape of 'probable local interest'. The site has good potential for Iron Age deposits

and the main effects of the development will therefore be on the archaeological resource. It is, however, noted that no remains were found in the test pits. The uppermost deposits may have been impacted upon by previous construction and agricultural activities. It is considered that a number of methods of evaluation have not yet been undertaken including geophysical survey, fieldwalking and targeted metal detector survey. The County Archaeologist recommends that these additional surveys are secured by condition or as part of the Section 106 agreement. An archaeological mitigation survey will be prepared.

The development of the site will effect the cultural heritage of the area as the Redhayes Estate is an important element in the local history of Exeter. Therefore, the decision to retain important elements of the former estate such as the ha ha and the carriage drive is positive. However, the County Archaeologist has indicated that there is scope for more features to be retained that are indicated within the application particularly at the western end of the gardens. The application needs to be clearer as to which features are to be retained and whether they will need to be temporarily removed and then reinstated as part of an Environment Management Scheme. The County Archaeologist recommends that this is secured by condition.

15.0 GROUND CONDITIONS & CONTAMINATED LAND (GEOLOGY AND SOILS)

15.1 Land contamination can be defined as the presence of substances in, on, or under the land that have potential to cause harm to the environment, buildings or human health. The ES sets out the impacts and effects of existing land contamination on the construction and operational phases of the development.

15.2 **Assessment Methodology** – In order to assess the magnitude of land contamination, the recorded hydrology, geology and hydrogeology of the site and surrounding area has been reviewed in the context of the site history. A site inspection and site investigation has been undertaken.

The ‘source-pathway-receptor’ approach has been used (as risks from contamination can only exist where a pollutant linkage is created). The assessment process included a Phase 1 desk study and Phase 2 intrusive investigation. The assessment looked at both the impact of existing contamination on the proposed development, and the impact of the development on the site and study area. Sources, receptors and impacts have been accounted for within the ES and an assessment of impacts set out.

15.3 **Predicted Impacts** – Receptors in this instance include construction workers, site users, site neighbours, the built environment, ground and surface water, and ecological receptors.

During construction, impacts may include direct or indirect ingestion or inhalation of dust, soil or asbestos during earthworks. At the operational stage potential hazards include the chemical attack of buried structures and the concentration of flammable/asphyxiating gases in enclosed spaces.

Waste from the site may contain contaminants, but the ES advises that it is not possible at this stage to establish the anticipated volumes.

Mitigation – The ES advises that the limited contaminated material noted would be removed prior to construction. Any handling, storage and removal of contaminated material would be subject to health and safety and waste management guidance.

Suitable pipe materials should be chosen to withstand corrosive and toxic ground chemicals. Concrete should also meet the specified classification stated within the document

- 15.4 **Assessment** – Potential contamination has been identified related to burnt-out vehicles, general debris, uncontrolled burning, asbestos, the electrical substation and the presence of a kennels on site. However, it is unlikely that site users or near neighbours would be affected by contaminated soils.

No significant contaminants have been found that would contaminate surface or ground water. Gas screening for worst-case scenario methane and carbon dioxide emissions suggests that only low risk special protection measures would be required.

Limited superficial contaminated material has been identified in the area of the former Redhayes House (fly-tipped cement bound asbestos). A further asbestos survey is recommended in order to establish the full extent of asbestos; however, the removal of asbestos can be easily dealt with in accordance with the relevant legislation.

Following construction of the scheme, the ES considers that there would be no remaining risks to health or the environment as a result of contaminated soils.

16.0 **ARBORICULTURE**

- 16.1 A number of trees within the site and the adjoining parkland are highlighted by the ES as having value for landscape, amenity, culture and habitat reasons. A number of trees to the south-west of the site are protected by Tree Preservation Order (areas, individuals and groups of trees). The assessment considers the potential for the development scheme to affect trees both directly and indirectly.
- 16.2 **Assessment Methodology** –The ES advises that trees are normally considered as part of the landscape and visual and ecological habitat of an ES; however, a separate section on trees has been prepared as part of this ES in response to consultation comments. Some elements of arboriculture are also considered as part of the landscape and visual assessment chapter and to some extent within the archaeology and cultural heritage chapter.

The study area is defined as the arboricultural environment within the proposed scheme, and within 15m of the boundary. The assessment focuses on the identified areas of the:

- former Redhayes House and gardens
- former driveway to the Redhayes Estate
- agricultural fields to the north of the proposed scheme
- parkland outside the proposed scheme.

Records of Conservations Areas and Tree Preservation Orders were reviewed against the proposed scheme footprint. The Arboricultural Impact Assessment carried out as part of the Junction 29 scheme was also reviewed. An Arboricultural Impact Assessment for the site and immediate surrounds was carried out in line with BS5387 'Trees in Relation to Construction' guidance, the results of which informed the design process. The significance of the effects has been established by evaluating the importance of the receptor (the category of tree) with the magnitude of the impact, guided by a matrix prepared by Parsons Brinkerhoff.

- 16.3 **Predicted Impacts** – Trees and hedges are most likely to be affected during the construction phase of the development, including site clearance, excavation for building footprints, site servicing and drainage. These operations have the potential to disturb or

destroy existing trees, hedges and vegetation by severing or damaging their root systems. Any vehicles accessing the site may also cause damage to trees.

The proposed layout may also result in the loss of some trees. Category A and B trees should be retained where possible where as Category C trees can be removed if they will constrain development. The removal of category B trees is in some cases justifiable, however, replacement planting is often required.

The ES does not consider that operational impacts will have any significant impact and thus the ES assessment focuses on construction impacts.

- 16.4 **Mitigation** - The ES advises that all retained trees will be protected during construction through a Tree Protection Plan and Construction Environmental Management Plan. Physical tree protection barriers will be erected in line with BS5837 guidance to protect the trees listed in table 5.6.a of the ES.

It is further advised that the Landscape Management Strategy for the scheme will also address the replacement of trees and compensatory enhancement measures. This document is yet to be prepared and as such it cannot be guaranteed that these measures will be effectively implemented.

It is anticipated that the tree ridgeline would be enhanced, with a gradual reduction in tree cover down the slope. It is also proposed that planting would be carried out in this location in advance of any construction works. Early planting of specimen trees would take place to enhance long-term character of Redhayes Avenue.

- 16.5 **Assessment** - The ES advises that the majority of trees are Category B and C trees, and that there are no Category A trees within the site boundary (although there is a group of category A trees within the study area). A number of trees (4no.) are considered to be of such poor quality that they are not suitable for retention irrespective of any proposed development. However, it is considered that a number of tree species, particularly oaks, have been incorrectly classified as Category B trees when they should be Category A. The assigning of A or B categories relates to the longevity of the tree and it is not considered reasonable to assume that an established oak has a lifetime of less than 40 years remaining. The Council's Arboricultural Officer highlights that mature oaks with no obvious defects can be assumed likely to have at least fifty and possibly several hundred more years of useful life.

The iterative design process has been undertaken to ensure that the proposed scheme retains and incorporates existing trees where possible, but that the southernmost point of the Redhayes driveway requires that a group of trees be removed to physically enable the construction of the access road for the M5 J.29 improvements into Phase 1. These trees are covered by a Tree Preservation Order. Furthermore, a group of oaks located at the southern end of the avenue forming part of phase 1 of the development are compromised by the layout of the Junction 29 link road. It is suggested by the Council's arboricultural officer that the roads are re-aligned by only a few metres to give sufficient space for the root protection area and thus for the trees to be retained.

Following a meeting between the applicant's consultants and the Arboricultural officer, it was agreed to hold a meeting on site to assess the impact of the proposed development upon key species including root protection areas. At the time of writing this report, this meeting has not taken place and issues relating to loss of trees have not been resolved. Members will be updated accordingly once further and complete information is available.

ECOLOGY AND BIODIVERSITY/NATURE CONSERVATION

- 17.1 Owing to the nature and location of the proposals it is likely that they will impact upon ecology and nature conservation. However, there is also scope to enhance biodiversity through careful design and layout of the site whilst also taking into account the context of the site including Exeter Airport and the other east of the M5 developments. The ES describes the existing ecological features and biodiversity value of the site. A series of habitats and species are identified and the ES advises that impacts have been reduced or designed out of the scheme as appropriate.
- 17.2 **Assessment Methodology** – Principally, the methodology for the assessment has been directed by the Institute of Ecology and Environmental Management. A variety of legislation records and reports have also been considered alongside the relevant planning policy background. A range of statutory and non-statutory consultees have been approached.

Ecological field surveys have been undertaken as follows:

- Extended Phase 1 Habitat Survey
- Bat Habitat Assessment and Bat Detector Surveys
- Dormouse Presence / Absence Survey
- Badger Survey
- Breeding Bird Survey
- Winter Cirl Bunting Survey
- Reptile Presence / Absence Survey
- Reptiles Presence / Absence Survey
- Invertebrate Survey
- Hedgerow Survey
- Botanical Survey

As it is inappropriate to consider all habitats or species that can be assessed, the focus of the ES is upon Valued Ecological Receptors (species and habitats in the zone of influence of the proposed scheme that are of sufficiently high value that an effect upon them could be considered significant). Habitat types have been identified and protected and notable species recorded. Sites, species, populations, species assemblages and habitats have been valued at different spatial levels and by using accepted assessment criteria. The identification and characterisation of potential impacts has been assessed and the magnitude of those potential impacts set out, followed by an assessment of significant effects. Effects have been assessed for both the construction and operation stages of development and consideration is given to both existing and future baseline conditions.

- 17.3 **Predicted Impacts** – No impacts on designated sites for nature conservation are anticipated, but there is potential for either temporary or permanent (direct or indirect) impacts on ecological receptors at construction and operation stages. Development of the site could result in the following.

Site Clearance and Construction Impacts

- Permanent and temporary land-take within the proposed scheme footprint to make way for new buildings, roads, paths and car parks, and also for contractors' compounds and temporary access roads;
- Permanent manipulation of habitats, e.g. 'tidying-up' of areas not within the footprint of infrastructure, felling of trees for health and safety reasons;

- Temporary storage of construction materials within / adjacent to VERs with associated land contamination and compaction;
- Temporary increased lighting;
- Temporary increased noise and vibration;
- Temporary increased dust; and
- Temporary pollution / increased sedimentation of water courses.

Operational Impacts

- Permanent presence of people and moving vehicles;
- Ongoing grounds maintenance;
- Permanent decreased air quality;
- Permanent increased noise and vibration;
- Pollution of Pin Brook and the River Clyst from surface water drainage from roads, buildings and car parks; and
- Altered flows in Pin Brook and the River Clyst from site drainage discharge.

17.4 **Mitigation** – The ES considers that any harmful effects can be mitigated by general best practice, by landscaping, and by the implementation of a Construction Environmental Management Plan. The implementation of a Landscape Management Strategy will ensure that replacement, enhancement of species and habitats and will ensure links with the surrounding area.

Measures are proposed by the ES to avoid impacts (e.g. site fencing to prevent access to important areas), reduce impacts (e.g. establishment of protocols and contingencies in the event of incidents), and by offsetting (e.g. planting of native species).

Legislative requirements in respect of breeding birds, badgers, reptiles, dormice and bats will be adhered to through licensing procedures, timing of vegetation clearance and the undertaking of pre-clearance surveys.

A general clerk of works would be appointed to oversee the implementation of mitigation measures.

17.5 **Assessment** – The ES considers that the proposed mitigation measures would offset adverse impacts of ecological value, and would in fact provide benefits in the long-term as a result of increased connectivity between the site and surrounding areas. However, the OCE Management Plan does not take full account of the ecological assessment carried out which clearly identify the presence of dormice and active badger setts which are not considered to be properly dealt with in the management strategy.

There is not currently sufficient detail to be able to conclude that the proposals will not adversely affect ecology and nature, however, the proposed mitigation measures, if properly implemented should address potential issues. The cluster formation of the proposal maximises open space on site which should positively maintain biodiversity once the scheme is operational. The significant period of construction (approximately 20 years) does raise some concern particularly in relation to construction vehicles crossing the site, damage to habitats within hedgerows and increased levels of noise and lighting.

Conditions are recommended to ensure that early implementation of the OCE Management Plan.

18.0 WASTE

18.1 The development of the Science Park will generate a variety of types of waste particularly during the long construction period. The ES assesses the types, and where possible, quantities of waste materials likely to be generated during the construction and operation of the proposed scheme. The focus is on the management of waste and the assessment outlines possible treatment and disposal options.

18.2 **Assessment Methodology** – Waste management is assessed between 2010 and the latest anticipated completion date of 2030. Receptors in this case principally include air, water and waste management facilities in the region.

The ES considers that it is difficult to establish the exact nature and volume of waste at outline planning application stage. The ES also advises that there is no specific official guidance on EIA methodology for assessing the implications of waste management in the UK. Relevant legislation and planning policy has nevertheless been considered as part of the assessment. The availability and capacity of waste management facilities in the region has been assessed and the potential future waste infrastructure considered (as far as is possible).

18.3 **Predicted Impacts** – It is predicted that both construction and operation will result in significant waste generation. The impacts cited by the ES include:

Construction:

- Contamination of surface water from waste stockpile runoff and/or release of trapped perched ground water during earthworks;
- Generation of dust from earthworks, waste stockpiles and plant machinery;
- Odour from poorly contained wastes;
- Increase in traffic associated with construction activities and transportation of waste from site that is not suitable for reuse or recycling within the site; and
- Increased demand on waste management facilities within the Exeter and South West region, including recycling facilities, recovery facilities and landfill.

Operation:

- Increased demand on waste management facilities within the Exeter and South West region, including recycling facilities, recovery facilities and landfill; and
- Increase in density of traffic associated with transportation of segregated wastes to recycling and waste management facilities.

The ES assessment of effects attempts to classify the relevant 'waste streams' including inert, hazardous and non-hazardous sources and the impact on waste management facilities. Other waste issues are also addressed as part of the ES in respect of land contamination (see above).

18.4 **Mitigation** – Mitigation is proposed to be achieved through a waste hierarchy of:

- reduction
- re-use
- recycling
- recovery

- disposal (a last resort).

This approach is supported by an outline Site Waste Management Plan that forms part of the application, based upon the principles of sustainable development. A detailed Site Waste Management Plan (SWMP) should be prepared prior to construction (by the main contractor) in order to fully address methods and procedures for managing all waste. It is accepted that some elements of the detailed SWMP will only be able to be completed by the main contractor.

During operation the waste management hierarchy would need to be adhered to. The ES advises that the detailed design would ensure recycling is encouraged. The ES also proposes encouraging site occupiers to adopt accredited environmental schemes, and to adopt best practice methods through training and incentives.

- 18.5 **Assessment** – It is inevitable that significant amounts of waste will be generated as a result of both the construction and operation of the Science Park. The ES considers that the majority of material produced as part of construction has the potential to be re-used or recycled. Inert material could be used directly if appropriate (e.g. inert aggregate), and non-hazardous material could be treated on site and re-used or recycled. Heavily contaminated soils are not expected to be found in large quantities and would need to be treated and disposed of off-site.

An outline SWMP has been prepared and submitted as part of the planning application. This includes measures to prepare a site waste inventory which will monitor waste produced on site. Data analysis, benchmarking and target setting will also be features of the SWMP potentially related to CEEQUAL although the approach requires further clarification. The SWMP will be reviewed at least every 6 months and at appropriate project milestones. It is accepted that at this stage it is not possible to be conclusive on the issue of waste, however, the outline SWMP does set out the approach to be adopted within the detailed SWMP. It is also accepted that it will be the responsibility in the most part of the main contractor to complete the detailed SWMP.

19.0 **CUMULATIVE EFFECTS**

- 19.1 The ES has examined the other major committed and proposed developments and infrastructure projects in close proximity of the application site namely the Exeter Gateway and Clyst Honiton Bypass (committed developments) and, Cranbrook New Community, Skypark, Exeter Airport Expansion and M5 Junction 29 Improvements (proposed developments). Whilst some identified mitigation measures identified in this study have been incorporated into the Science Park proposals, it is recognised that such measures concerning the other developments are not straightforward as the interaction between developments is potentially complex and subject to change if developments are delayed or postponed, however, could assist the Council in ensuring that wherever possible measures are implemented to reduce any cumulative effects identified. Such measures relate to ecology and nature conservation, land use, landscape and visual, socio-economic, community, traffic and transport and waste.
- 19.2 **Assessment** – As with each of the proposed developments in the east of Exeter area, it is the responsibility of the Council to ensure that appropriate mitigation measures are employed to minimise adverse effects and promote positive beneficial improvements to the environment having regard to the potentially significant changes in character that will result from the committed and proposed developments east of the M5.

20.0 ANALYSIS OF KEY PLANNING ISSUES

The Principle of the Proposed Development

- 20.1 The site is not currently allocated for development and in open countryside for the purposes of planning control. It is therefore subject to the protection afforded to open countryside by Policy S5 of the EDLP. The site also includes some of the best and most versatile agricultural land, which it is a strategic planning policy objective to protect from development (DSP Policy CO14) unless there is an overriding need for development in that location which outweighs the need to protect such land, or where it implements other policies and proposals of the Development Plan.

The application is therefore contrary to the policies of the Development Plan and a departure therefrom. As such it is necessary to consider whether there are material considerations, and of sufficient weight, to justify setting aside the provisions of the Development Plan in this instance.

It is a very material consideration that there is high level, strategic policy support for the proposals in the DSP. Policy ST19 requires the identification of strategic development sites for employment. Included in the provisions are a Science Park at the Exeter PUA in East Devon, and which is deemed to be of 'regional significance'. Although only indicative, the broad location shown on the Key Diagram is east of the M5, north of the A30, south of the Exeter-Salisbury- Waterloo railway line, and west of Exeter Airport and the proposed Skypark/Intermodal Freight Facility. This results in a narrow zone in which the Science Park can be located to be in conformity with the general location indicated in the Structure Plan, and with which the current application proposals are in full accord.

The key issue therefore relates to the prematurity of the proposals in relation to the identification and allocation of a specific site in a Development Plan Document, and whether to grant planning permission would pre-empt decisions relating to the allocation of strategic sites that ought properly be taken through the plan-making process. In this regard the existence of the Science Park SPD is a material consideration that can be accorded some weight. This confirms that a site selection process was undertaken including assessment and evaluation of alternative locations for the proposed development. The outcome of this process was the identification of the current application site. The site is the closest fit with the broad location identified on the DSP Key Diagram.

As is confirmed in the East Devon Local Development Scheme (March 2007), it is a key role of the emerging Core Strategy to set out the 'broad locations' for the Structure Plan housing, employment and key transportation elements and how these will be provided. However, in this instance the DSP identifies with sufficient clarity the broad location for what is a specific development requirement. For the reasons set out above, the flexibility for locating the Science Park within the broad parameters identified in the Structure Plan is limited. In this instance it is therefore considered that the Core Strategy can add little of any additional value at a strategic level to establishing the appropriate location for the Science Park. There is sufficient detail, clarity and certainty in the SPD.

The Science Park SPD is identified in the LDS. Its stated role is *"to set out detailed guidance for implementation of the Science Park strategic development site proposed in the 2016 Structure Plan in East Devon at the Exeter PUA ..."*. This document is therefore intended to take its lead from the strategic development site proposed in the DSP, and to provide the detailed guidance for its implementation, and by inference, consideration of a planning application. This document has been adopted following stakeholder consultation, has considered alternative locations, and identifies the specific site boundaries within the broad parameters set out in the DSP.

For all of the foregoing reasons it is concluded that the process of site identification and selection has been robust, involving proper consideration at both strategic and local levels. The site has not been formally identified in a Development Plan Document. However, for reasons previously set out, if there is a need for early delivery of the Science Park, it is not considered that this should necessarily hold up the development since the Core Strategy and Site Specific Allocations are unlikely to result in any different outcome. As such, it is concluded that, in the event of planning permission being granted for the Science Park at this stage, there would be no issue of pre-empting decisions relating to the scale and distribution of land uses that ought properly be taken through the Development Plan process.

The DSP covers the period 2001-2016, and the Science Park is a development requirement to contribute to the regional economy during that period. As is expressly stated in Policy ST19, it is identified as a site of 'regional' significance, which is to provide a specialist facility to contribute to the growth and diversification of the Exeter area and the wider economy of the region in the period to 2016. As is set out in the Explanatory Memorandum:

The strategic locational advantages of the Exeter area, its role as an academic centre and its recent success in attracting specialised investment indicate the potential for the area to provide for specialised science related economic / research opportunities in the period to 2016. This potential has been confirmed by research undertaken on behalf of the RDA, Exeter City Council, and Exeter University. (DSP, para. 3.87 (1)).

The DSP period is now more than half term expired, and yet key strategic employment sites, including the Science Park, remain to come forward. Changes in the development plan system have occasioned delay in delivering developments through the planning system. Even if planning permission is granted without further delay, it is unlikely that the Science Park will be delivered in full during the remaining seven years of the DSP period.

The significance of the Science Park to the region is a material consideration that is properly accorded significant weight in the decision, and one which will necessitate strong contrary planning objections to justify a refusal of planning permission. For the reasons outlined it is not considered that there is a strong or compelling prematurity argument pending identification and allocation of the site in a Development Plan Document. There is strong and sufficient locational guidance in the DSP, which has been further tested and refined through Science Park SPD. The site is fully compliant with the strategic locational guidance and the site location and area as detailed within the strategic parameters through the Science Park SPD.

As a matter of principle it is therefore concluded that the proposed development is entirely acceptable, and there is no material objection on grounds of prematurity. On the contrary, bearing in mind the DSP period that has already expired, there must now be an urgency to bring forward a key element of the economic development strategy for the region, unless there are other material planning considerations that outweigh this important objective. This is particularly so in the light of prevailing economic circumstances and the need to encourage and facilitate economic development that will facilitate recovery from recession.

With regard to Policy S5 of the EDLP, for all of the foregoing reasons it is concluded that other material considerations indicate that an exception should be made in this instance and that the normal presumption against development in the open countryside should be set aside in this instance. The EDLP was well advanced at the time of adoption of the DSP to 2016, and related only to the period to 2011. It has therefore to a degree been

superseded by the provisions of the DSP to 2016, which identifies strategic development at the Exeter PUA in East Devon in locations which are subject to Policy S5.

In relation to Policy CO14 of the DSP, and the loss of the best and most versatile agricultural land, it is considered that the development of the Science Park is an overriding need, and one which would implement other proposals of the Structure Plan in the general location where it is intended. As such, there is not considered to be any conflict with Policy CO14.

Other Material Considerations

Impact on the Visual Character and Amenity of the Area

Notwithstanding the conclusions of the Landscape and Visual Impact Assessment (LVIA), there can be little doubt that the proposals will result in a significant change in the visual character and appearance of the site. The overall character and appearance of the site at present is rural in nature comprising an agricultural landscape, albeit that this is tempered by the proximity to the M5 which reduces its tranquillity. The proposed development will result in the loss of this rural character since, as is accepted in the LVIA, “... *the overall impact will be to urbanise the site and surrounding area, impacting upon its generally rural character*”.

The proposed development will, in effect, extend the urban edge of the city of Exeter across the M5 motorway into East Devon. This will be particularly noticeable when approaching on the M5 from the north, when development on the northern slopes of the site will be in prominent view and become the first view of the city. At present the urban area is largely imperceptible until having progressed through the cutting to Junction 29 when the Sowton Industrial Estate comes into view on the right hand side.

Similarly, when travelling along the A30, the current perception is that the city stops at the M5 overbridge. Once the southern slopes are developed, that perception is likely to change.

However, for reasons set out above, the principle of development on the site is acceptable, committed through the DSP and confirmed through the Science Park SPD. In accepting the principle of the Science Park and other major developments at Exeter in East Devon, there must have been a tacit acceptance of change in the visual character and amenity of the essentially rural sites on which they are to be accommodated. As such, the broad impact on the visual character and amenity of the site, in terms of its change from essentially a rural to an urban landscape, is not a material consideration that indicates that planning permission should be refused.

Although the application has been made in outline with all matters of detail reserved for subsequent consideration, the principles of the SPD of a ‘clustering’ of buildings at key points in response to the existing landscape and biodiversity resources at the site, are reflected in the illustrative masterplan and proposed landscape framework. This will assist with ameliorating the impact, by incorporating development clusters in a strong landscape framework that will in places continue the surrounding countryside into the site and reinforce existing landscape features, such as the wooded ridge line.

In the ES it is proposed that a Landscape Management Strategy should be prepared that will detail what is necessary to establish the intended landscapes at the site, together with a detailed Structural Landscape Planting Plan which will identify strategic landscaping for the whole site to be implemented at an early stage. This is considered to be essential to provide mitigation for the impact of the development, and should be a condition of planning permission if Members are minded to grant consent. .

The submitted details indicate two clusters occupying the ridgeline adjacent to the M5 motorway in the vicinity of the former Redhayes House, with a third cluster towards the eastern site boundary occupying a position close to it. The SPD indicates a maximum building height for the site of 64 AOD having regard to the close proximity to Exeter Airport, but qualifies this in relation to the highest part of the site which was occupied by the former Redhayes House (45AOD) by suggesting that a 19 metre high building (5-storey equivalent) is unlikely to be acceptable.

Although stakeholder consultation on the SPD indicated a preference for the ridge area to remain undeveloped, the SPD allows for the possibility of 'a building' on the Redhayes House site, subject to appropriate design safeguards. However, the application proposals incorporate rather more than a building on the ridge, identifying two ridge line clusters either side of an enhanced tree belt, with The Science Park Centre Cluster also close to the ridge line. The design codes accompanying the application indicate buildings of no more than 3-storeys for the ridge clusters, with the scale and mass minimised to avoid impact on the wooded skyline.

Further information was requested from the applicants to confirm the maximum heights of the proposed buildings and photomontage evidence to demonstrate that the impact will be acceptable. They were also requested to justify why they are proposing a departure from a key principle set out in the SPD of minimal ridgeline development. Information related to building heights has been provided in a letter from the applicant's agent dated 29th September 2009, along with photo montages - which will be available at the Committee meeting.

The applicant's consider that the proposals for development upon the ridge are located in the area of lowest environmental sensitivity and that this is supported through assessments undertaken by various environmental specialists. Furthermore, they consider that the setting of the former Redhayes House sets a precedent for development on the ridge.

The applicant considers that the SPD recognises the commercial opportunity related to the Science Park and as such it is considered that commercial sustainability and viability are essential factors related to the proposals. The development of clusters upon the ridge is considered to be an opportunity to deliver this key commercial objective.

The Council's Landscape Architect has assess the photo montages and his comments are as follows:-

The photomontage and wireframe images produced by LDA Design appear to be satisfactory in terms of clarity of information and providing an impression of how the development site might appear at year 1 and year 20-25.

Viewpoint 1 (A): View to site from Killerton Garden

The photomontage and wireframe indicate that impact of the proposed development from this viewpoint is likely to be minor.

Viewpoint 2: View to site from Pinhoe

The photomontage and wireframe indicate that impact of the proposed development from this viewpoint is likely to be moderate adverse impacts reducing to slight adverse over time as vegetation establishes. The rural nature of the views would be replaced with one of more urban character.

Viewpoint 3: View to the site from Public Footpath to Sowton Village

The photomontage and wireframe indicate that impact of the proposed development from this viewpoint is likely to be significant given the scale of the proposed 6 storey Hotel building. The Environmental Statement identifies the impact of development as moderate reducing to slight and accepts the Phase 1 buildings will not be mitigated by year 15. Given the proximity to the A30 and the anticipated change in character it is considered that this impact is acceptable – on the proviso the building is designed sensitively and additional planting incorporated into the detail proposals (large parkland trees planted on the southern and eastern boundaries and a new avenue planted to the west of the existing avenue).

Viewpoint 5: View to site from existing bridge over M5 adjacent to West Clyst farm

The photomontage and wireframe indicate that impact of the proposed development from this viewpoint is likely to be slight to moderate adverse impact. The new ridgeline planting will reduce the impact over time and the character will clearly have changed from a rural to an urban setting. Some additional planting has been requested along the western boundary to supplement the existing Highway vegetation and the relevant landscape condition will ensure an appropriate detail landscape scheme for the overall site. Forward planting and/or the phasing of planting will assist in reducing the impact.

There is an opportunity to develop ‘sculptural’ feature buildings in a landscaped, parkland setting. The photo montages show the evolving situation between Year 1 of the development and Years 20-25 when more development will be in place, but the structural planting will also be reasonably well advanced. In views from the east, there will clearly be a new urban character to the area, but this needs to be considered against the future development coming on stream to the east of the site, eg. the intermodal freight terminal, Skypark and Cranbrook. Views out of Exeter will also change radically as the urban form extends out beyond Pinhoe. As described above, the new character of the entry gateway to Exeter on the M5 travelling south, at junction 29 will also be significantly differently from currently. However, distant views from Killerton are considered to have a very minor impact because of the distances involved.

However, the acceptability of the impact will rely on early structural planting and buildings of appropriate scale and mass and high design quality. These matters will need to be resolved through the Structural Landscape Planting Plan and a further refinement of the Design Codes as a precursor to reserved matters submissions. The design codes will need to pay particular attention to building disposition, mass and height to ensure that ridge does not appear as a ‘wall’ of development.

It is concluded that there are no overriding objections to the proposals in terms of their impact of the visual character and amenity of the area, given that the principle of development, and consequential significant change in these respects, is accepted.

Highways and Transportation

Traffic generation, and how it will be accommodated, including how to minimise car use, is a key issue in respect of the proposed development. However, in relation to the accommodation of vehicular traffic, the proposals are heavily reliant on off-site investment in new highway infrastructure to accommodate both the Phase I and Phase II developments.

In the case of Phase I, the proposals are reliant on completion of works to increase the capacity of Junction 29 of the M5 through improvements to provide the East of Exeter Phase 2 Link Road. However, the Junction 29 improvements do not provide sufficient capacity to cater for all of the trips generated by the East of Exeter developments,

including the Exeter Science Park, in the 2026 assessment year assumed for the purposes of the Transport Assessment accompanying the application. A new link road (Phase 3 East of Exeter Link) into Exeter across the M5 is required to meet the development needs outlined in the draft Regional Spatial Strategy.

It is proposed that Phase II of the Science Park will connect into the new link road. The route and delivery of the road is currently under development, but it is assumed that it may be on the alignment of the existing Tithebarn Lane, and that the Science Park will have a northern access to this route.

The Science Park is therefore dependent on the implementation of off-site highway infrastructure beyond the application site, and over which the applicants have no control. It is proposed that this be controlled by a Section 106 Clause precluding occupancy of each phase of the development until the relevant infrastructure works have been completed and the Science Park has been connected to it.

In the case of the works necessary to support Phase I of the Science Park, there is a worked up scheme in existence and it is at least possible to understand how the Science Park development would connect with it. It is understood that the statutory process of publishing line orders has been completed without objection, and the scheme has entry to the DfT Major Scheme Programme, with the balance of funding secured through the Regional Infrastructure Fund. There is therefore considered to be a reasonable prospect of it being implemented within the foreseeable future to enable the Phase I proposals to proceed. A Grampian condition is therefore appropriate, but without the need for reference to an unknown, untested alternative.

With regard to the conditions allowing for submission and approval of alternative, unidentified access arrangements in the event of the link roads not coming forward, this is not considered to be an appropriate approach. If this is necessary, then it is likely that a new planning application will be required accompanied by a revised Environmental Impact Assessment to assess the impact of the alternative arrangements.

The highway infrastructure to support Phase II is less certain at this stage. However, it is being progressed in conjunction with the ongoing work in connection with a Masterplan for the Monkerton area of Exeter to the west of the M5, and therefore, providing this work proceeds as anticipated, there are reasonable prospects of the infrastructure being implemented in time for Phase II to proceed as anticipated. It is anticipated that the infrastructure will be provided in large part through developer funding.

Government guidance relating to the appropriate use of conditions is set out in Circular 11/95. The general guidance relating to conditions depending on others' actions, is that *"... they should only be imposed on a planning permission if there are at least reasonable prospects of the action in question being performed within the time limit imposed by the permission"* (para. 40). At the time of writing this report it is unclear whether there are reasonable prospects of the Phase 3 Link Road serving Phase II of the Science Park. being implemented in time, and in a way, that would enable the development to proceed within the terms of the planning permission. This is particularly so in the case of the Phase 3 Link Road. For these reasons it is considered that a Section 106 Obligation should be used to secure the works by agreement with the applicants rather than a requirement secured by Grampian condition.

Summary of Key Issues

- The site is currently open countryside for planning policy purposes, and includes some of the highest quality agricultural land. As such, there are planning policies which seek to protect it from development.

- However, the adopted Structure Plan provides for a Science Park at the Exeter PUA in East Devon, and in the broad location of the application site.
- Through the formulation and adoption of the Science Park SPD alternative locations for the Science Park have been considered, and the appropriateness of the application site for it has been confirmed.
- The Science Park is identified in the Structure Plan as a development of regional significance, and is intended to contribute to the economy of the region in the period to 2016. It is therefore with some urgency that it needs to be progressed.
- For the foregoing reasons it is concluded that to grant planning permission for a Science Park on the application site would not pre-judge decisions about the location and scale of development that ought properly be taken through the Local Development Framework, and there is therefore no material issue of prematurity.
- Since the development of the Science Park is an overriding need and would implement other proposals of the Structure Plan, the normal presumption against the loss to development of the highest quality agricultural land is superseded in this instance.
- The proposals will result in a significant change in the visual appearance of the site, from a rural agricultural landscape to one essentially urban in nature. However, in accepting the principle of a Science Park in this location it is an inevitability that this change in character will ensue.
- The proposed development will effectively extend the urban edge of the city of Exeter across the motorway into East Devon, and the development on the northern slopes will be visually prominent when approaching Exeter from the north on the M5. The development on the southern side of the ridge will also be very visible from the A30.
- The key issue is considered to be the visual impact of the proposed ridge clusters, which depart from the SPD principle of minimal ridgeline development.

With regard to highways and transportation, the proposed access arrangements to the site are reliant on the delivery of off-site infrastructure not within the control of the applicants. The applicants have provided additional information to support their contention that the necessary infrastructure will be provided to enable the development to proceed in accordance with the anticipated phasing arrangements. It is considered that the appropriate mechanism for dealing with these matters is a combination of a Section 106 Obligation and a Grampian condition. If the infrastructure is not delivered as anticipated, any alternative access arrangements will have to be considered through a new application for planning permission.

CONCLUSION

Subject to satisfactory resolution of the outstanding matters relating to the visual impact of the proposals and access arrangements, it is considered that there are no other material considerations of overriding significance that indicate that planning permission for the proposed development should be refused. The proposed development is of regional significance which is intended to deliver key objectives in terms of the diversification and enhancement of the regional economy. This is a material consideration which is properly accorded significant weight in the decision.

Notwithstanding the details submitted with the application, the illustrative masterplan and design codes will require further iteration and refinement prior to the submission of reserved matters application, and will need to be kept under review as the development progresses.

These matters can be dealt with by conditions. Conditions will also be necessary to secure the various mitigation measures identified in the ES and by consultees, and to limit the scope of the development to a Science Park with ancillary facilities and development that is complementary to such and will support its function as a Science Park.

21.0 RECOMMENDATION

1. East Devon District Council, having considered the environmental information under the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 recommends to the Secretary of State that **OUTLINE PLANNING PERMISSION BE GRANTED** subject to an amended direction from the Highways Agency regarding the Phase III link road to serve Phase II of the Science Park and the applicants entering into a Section 106 Agreement, the draft heads of terms of which are set out below, and the following conditions.
2. The Head of Planning & Countryside Services be given delegated powers to add to or amend the conditions and clauses listed below as appropriate in order to ensure consistency with the other planned large scale developments in the vicinity.

CONDITIONS

Reserved Matters

1. Details of access, appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
- For the purpose of matters relating to a phase of development (including the approval of strategic landscaping details) the relevant phase of development shall be identified by a Parcel Group number or part thereof within the Phasing plan.

Reason: The application is in outline with one or more matters reserved. Development will progress in phases and approval of reserved matters applications will be necessary on a phased basis to allow development of the relevant phase to progress without approval of reserved matters across the whole of the site.

2. Details submitted in compliance with Condition 1 shall include finished floor levels and existing and proposed ground levels in relation to a fixed datum. Development shall then be carried out in accordance with those approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that adequate details of levels are provided to enable assessment of the relative heights of ground and buildings in relation to the landscape, the proposed development and existing structures.

3. The first application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. All subsequent reserved matters shall be submitted to the local planning authority for approval no later than 15 years from the date of this permission.

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.

4. The development hereby permitted shall be begun either before the expiration of 10 years from the date of this permission, or before the expiration of 5 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

5. The submission of all reserved matters and the implementation of the development hereby permitted shall be carried out in accordance with the cluster formations and major highway network contained in the following drawings:

- Site Application Boundary Drawing Number 2707/001
- Illustrative Masterplan Drawing Number 2707/002
- Phasing Plan Drawing Number 2707/003

Together with the information contained within the Planning Statement and Development Framework and Design Codes Report received on the 29th May 2009, or in accordance with any amendment to those drawings and/or details which may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the scope of this permission and to ensure flexibility in delivery.

Uses

6. The permitted uses on Science Park shall comply with the Gateway Policy (appended) unless agreed by the Local Planning Authority. Any alternative use must demonstrate how it would be complementary to or supportive of the overall use of the site as a Science Park.

Reason: Planning permission has been granted having regard to the requirement for, and completion of, the development as a Science Park.

Gross Floorspace

7. The gross floorspace hereby consented shall not exceed 76,450 square metres of which the specific Use Classes shall not exceed the following maximum figures, unless otherwise agreed by the Local Planning Authority in writing:

- Science Park Uses (Class B1 (b) with an ancillary allowance for Classes B1(a), B1(c) and B2 subject to the requirements of Condition 6 above): 61,350 square metres.
- Class C1 (Hotel): 7,300 square metres.
- Class D1 (Creche): 500 square metres.
- Class A3 (Café/restaurant): 1,600 square metres.
- Class A1 (Retail – convenience): 1,050 square metres.
- Class D2 (Conference; health and fitness): 4,650 square metres.

Reason: To ensure the development accords with the submitted application details and environmental assessment.

Masterplan

8. A detailed Masterplan for the whole site, to include strategic landscaping, green spaces and corridors to include bio-diversity links, shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of any of the reserved matters pursuant to this planning permission. The development shall be carried out in accordance with the approved Masterplan, or such other Masterplan as may be agreed in writing with the Local Planning Authority.

Reason: To set out the principles of the proposal and to mitigate against loss of habitat in the interests of the biodiversity of the site.

Landscape Strategy/Strategic Landscaping

9. A Landscape Management Strategy for the whole site, to include a detailed Structural Landscape Planting Plan to be implemented at an early stage in the development process in accordance with an implementation and phasing schedule to accompany the details, shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of any of the reserved matters pursuant to this planning permission. The Landscape Management Strategy shall subsequently be implemented in accordance with the approved details and associated phasing schedule, or such variations thereto as may be agreed in writing by the Local Planning Authority.

Reason: To mitigate the visual and landscape impact of the proposed development and to ensure that the necessary mitigation measures are implemented at an early stage in the development process.

Design Codes

10. Notwithstanding the details submitted with the application, the following Design Codes, as identified in the Development Framework and Design Codes Report forming part of the application the subject of this permission, shall be submitted to and approved in writing by the Local Planning Authority:
 - Access Codes A 01 – A 05 and Parking Code P 01 prior to the submission of any of the reserved matters pursuant to Condition 1 of this planning permission;
 - Cluster Codes for Areas 01 – 06 prior to the first submission of any of the reserved matters pursuant to Condition 1 of this planning permission for the particular Cluster Coding Area.

The Design Codes shall be submitted and approved in accordance with the timescales outlined above unless agreed otherwise by the Local Planning Authority in writing.

Reason: To ensure a comprehensive and robust design framework for the preparation and submission of the reserved matters to achieve the quality of development required.

Signage

11. The Design Codes shall include a Signage Strategy which shall contain details of the size, location, materials, design and appearance and, where applicable, the proposed method and hours of illumination of external signage on buildings and elsewhere within the site. For the avoidance of doubt, internally illuminated box signs or rooftop advertisements will not be permitted. No signage shall be displayed anywhere within the site unless it accords with the details approved in the Signage Strategy.

Reason: To define the details of the proposal and to ensure a high standard of design and sustainable energy use is achieved in the interests of the appearance and character of the area.

Materials

12. Any reserved matters submissions shall include 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, roofs and surface treatments of the proposed development, shall be submitted to and approved in writing by the Local Planning Authority. The 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.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) the colour of the external cladding and roofing materials of any buildings erected pursuant to this permission shall not be changed from those approved under Condition 12 above unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the materials are sympathetic to the character and appearance of the area.

Construction Environmental Management Plan (CEMP)

14. Prior to the submission of the reserved matters for each phase of the development, a Construction Environmental Management Plan (CEMP) to manage the impacts of construction, including traffic, and to ensure minimum impediment is caused by the development shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the CEMP shall include:-

- i. measures to regulate the routing of construction traffic;
- ii. the times within which the traffic can enter and leave the site;
- iii. the phasing of flood alleviation measures, the importation and/or dispersal of spoil and soil on and off site;
- iv. measures to control dust from earthworks and construction activities in compliance with guidance contained in the BRE Code of Practice;
- v. a watching brief for potential munitions;
- vi. a noise control plan;
- vii. the location of the site compound(s);
- viii. specified access routes and on-site parking for vehicles associated with the construction works.

The details so approved shall be complied with in full and monitored by the applicants to ensure continuing compliance during the construction of the development.

Reason: To minimise the impact of the works during the construction of the development in the interests of highway safety and free-flow of traffic, to have regard for the risk of potential unexploded munitions, to protect the occupiers of buildings in the vicinity from the effects of air and to safeguard the amenities of the area.

Archaeology

15. No development shall take place until the applicant, or their successor in title, has secured the implementation of a programme of archaeological work in accordance with a

written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To ensure that an appropriate record is made of archaeological evidence and historic buildings that may be affected by the development.

Drainage

16. Any reserved matters submission shall include details of a Sustainable Urban Drainage System (SUDS) for the disposal of the surface water from the site for approval by the Local Planning Authority. The scheme shall be carried out in accordance with those approved details and no building shall be occupied until the relevant works for the disposal of surface water have been completed.

Reason: To avoid pollution of the environment and/or flooding.

17. No oils, fuels or chemicals shall be stored on the site unless details of the storage facility, including measures for containing accidental releases to the environment, have been submitted to and approved in writing by the Local Planning Authority and until such a storage facility has been implemented in accordance with the approved details.

Reason: To protect the environment from pollution and to safeguard the amenities of the area.

18. Subject to Condition 2 above, any material required to raise ground levels, shall be restricted to inert and uncontaminated soil and spoil.

Reason: To prevent pollution and safeguard the amenities of the area.

19. No sewerage or trade effluent (including cooling water containing chemical additives, vehicle washing effluent, and steam-cleaning effluent) shall be discharged to the surface water drainage system.

Reason: To prevent pollution to the water environment.

20. Vehicle loading or unloading bays and storage areas involving chemicals or other polluting matter shall not be connected to the surface water drainage systems.

Reason: To prevent pollution to the water environment.

Contaminated Land and Remediation Measures

21. Unless otherwise agreed by the Local Planning Authority in writing, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions 24.1 to 24.5 inclusive below have been complied with. Should any contamination of soil or groundwater be discovered during development of the site, the Contaminated Land Officer of the Local Planning Authority should be contacted immediately. Site activities should be temporarily suspended until such time as a procedure for addressing such contamination is agreed upon with the Local Planning Authority or other regulating bodies.

Reason: To ensure that any contamination existing and exposed during the development is identified and remediated.

Site Characterisation

23.1 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments.

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

Submission of Remediation Scheme

23.2 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after reclamation.

Implementation of Approved Remediation Scheme

23.3 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in Planning Policy Statement 23 (PPS23) 2004 "Planning and Pollution Control" as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reporting of Unexpected Contamination

23.4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to

the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 21.2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 21.3.

Long Term Monitoring and Maintenance

23.5 A monitoring and maintenance scheme to include the long-term effectiveness of the proposed remediation over a period of 15 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be carried out in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination CLR 11*'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Protection of the Water Environment

24. No development shall commence until further studies are undertaken to accurately determine the groundwater regime within the site. These works shall consider surface water drainage and will identify and detail the mitigation and long term monitoring of impact of ground water re-charge. These mitigation and long term monitoring measures shall be incorporated within the development in accordance with details that shall be incorporated within the development in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect controlled waters.

25. No development shall commence until a comprehensive water features survey has been undertaken. If any sensitive water features exist then a detailed assessment shall be undertaken to determine potential impacts and identify suitable mitigation measures.

Full details of adequate buffer zones and any necessary mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. For the avoidance of doubt, there shall be no net loss of open water and associated habitat.

The works shall be incorporated within the development in accordance with the approved details.

Reason: To protect the water environment and prevent loss of wetland habitat.

26. Prior to the commencement of each phase of development approved by this planning permission, full details of a scheme to adequately deal with surface water drainage shall be submitted to and approved by the Local Planning Authority. These details shall take account of any contamination on the site (such that pollution is avoided) and be in

accordance with the approved Flood Risk Assessment (prepared by Parsons Brinkerhoff) and the Environment Agency's surface water drainage design criteria. The works shall be incorporated within the development in accordance with the approved details.

Reason: To prevent flooding and pollution.

27. No infiltration of surface water drainage into the ground shall occur other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk of pollution to controlled waters.

Reason: To prevent pollution of controlled waters.

Foul Drainage

28. Prior to the occupation of development approved by this planning permission, a suitable scheme to deal adequately with foul drainage shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall consider the hierarchy of sustainable drainage by first considering the possibility of connecting to the public foul sewer. Where a connection to the public foul sewer cannot be made and private foul drainage is intended, the foul drainage scheme shall include a complete Foul Drainage Assessment using the Environment Agency's 'Foul Drainage Assessment Form1'. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of controlled waters.

Bio-Diversity

29. Prior to the commencement each phase of development approved by this planning permission, full details of mammal and reptile tunnels shall be submitted to an approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To mitigate against loss of habitat.

Landscape

30. Prior to commencement of any works on site (including demolition) in each phase, tree protection details, to include the protection of hedges and shrubs, shall be submitted to and approved in writing by the Planning Authority. These shall adhere to the principles embodied in BS 5837 and shall indicate how and when the trees will be protected during the site works. Provision shall also be made for supervision of tree protection by a suitable qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details.

In any event, the following restrictions shall be adhered to:

(a) No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.

(b) No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall in accordance with the advice given in National Joint Utilities Group (NJUG) Publication Number 10 1995.

(c) No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority.

Reason: To ensure retention and protection of trees on the site in the interests of amenity and to preserve and enhance the character and appearance of the area.

31. Any reserved matters application shall include a landscaping scheme showing the planting of trees, hedges, shrubs, herbaceous plants and areas to be grassed. The scheme shall also give details of any proposed walls, fences and other boundary treatment, including details of 'technical solutions' for tree pits to ensure the long-term establishment of trees to maturity. The landscaping scheme shall be carried out in the first planting season after commencement of development unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to preserve and enhance the character and appearance of the area.

32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the approved boundary treatments, walls and/or fences or other means of enclosure 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 character and appearance of the area.

33. Any reserved matters application shall contain details of earthworks, including cross and long sections. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details prior to the occupation of the phase of development to which the works refer.

Reason: In the interests of preserving and enhancing the character and appearance of the area.

34. A landscape and bio-diversity management plan, reflecting the long term design objectives established in the masterplan required by Condition 8, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to any development taking place prior to the commencement of development. The proposals shall be carried out as approved for the full duration of the plan.

Reason: In the interests of amenity and to preserve and enhance the character and appearance of the area.

35. Prior to the commencement of the development, a detailed phasing plan shall be submitted to and approved by the Local Planning Authority to ensure delivery of strategic landscape planting within a set timeframe, irrespective of development plots being commenced.

Reason: To protect and enhance the landscape character of the area and ensure the level of mitigation is achieved within a reasonable time period.

Environmental Mitigation

36. Before the development hereby permitted is commenced, a scheme for the provision of Ecological Protection and Enhancements, in accordance with the Devon and East Devon Biodiversity Action Plans and particularly the mitigation measures required by the environmental statement, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.

Reason: In order to generate a net increase in biodiversity by the protection, conservation and enhancement of the landscape and ecological features within it.

Protected Species

37. Before the submission of each reserved matters application, a detailed survey shall be carried out to establish any presence of protected species within the site. Should such protected species be identified, then appropriate mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those approved measures.

Reason: The review should be ongoing because the planning permission is likely to extend over a long term during which the ecology of the site could change.

Prevention of Light Pollution

38. Any reserved matters submission shall include details of the design, hours of use and ongoing management of any temporary or permanent external lighting within the public realm, including signage and display lighting, floodlighting and road lighting for approval by the Local Planning Authority. The lighting shall then be installed and operated in accordance with the approved details, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities of the area and in the interests of air safety, having regard to the proximity of Exeter International Airport throughout the operational period of the development and not just at the initial design stage.

39. Before any works are commenced on site a Lighting Management Plan shall be prepared and submitted to the Local Planning Authority for approval.

Reason: To protect future occupiers and protected species from excessive light levels.

Detailed Waste Audit / Management Scheme

40. Before any works are commenced on site, a Waste Audit / Waste Management Scheme for both the construction and operational phases of the development to include provision for internal or external refuse facilities as appropriate and suitable recycling storage facilities, shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme as agreed shall be implemented and maintained in accordance with the approved schemes or as otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the waste resulting from the development is properly handled and in the interests of local amenity, and that provision for refuse facilities and recycling storage is satisfactorily integrated into the design of the development in accordance with current sustainable practices.

Storage

41. Other than the parking of vehicles in the spaces shown on plans for this purpose, no vehicles, goods, materials, machinery or waste shall be parked, stacked, stored or deposited outside the buildings except with the prior approval of the Local Planning Authority.

Reason: To protect the character and appearance of the area.

42. Any reserved matters submission shall include provision for covered external refuse and recycling storage facilities. Such provision shall be implemented in accordance with the approved plans.

Reason: To ensure this level of amenity is satisfactorily integrated into the design of the development in accordance that provision for this amenity is satisfactorily integrated into the design of the development in accordance with current sustainable practices.

Noise Control

43. No development shall commence until a Noise Control Plan detailing a noise management system to be implemented during the demolition and construction phase of the development and tailored to the specific needs of the construction works, the site and the surrounding area to mitigate the effects of noise from the development is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Noise Control Plan.

Reason: To protect the occupiers of buildings in the vicinity from excessive noise.

External Plant or Machinery

44. Details shall be submitted with the reserved matters to show external plant or machinery which shall not be installed on any building forming part of the site without the prior approval of the Local Planning Authority. The development shall proceed only in accordance in accordance with those approved details.

Reason: In the interests of local amenity.

Air Safety

45. No part of the development shall impact upon the safety of aviation at or in the vicinity of Exeter International Airport in accordance with safeguarding criteria under the terms of the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Directions 2002. For the avoidance of doubt, the information required to meet the criteria would include layout, dimensions and heights of buildings or works to which the application relates.

Reason: In order to safeguard protected airspace required for the safe operation of aircraft using Exeter International Airport.

Vehicle and Cycle Parking

46. Prior to each phase of development, details of both on-street and off-street vehicle parking provision and cycle parking facilities for each phase of development are to be submitted to and approved by the Local Planning Authority and are to be provided in accordance with those approved details. The vehicle and cycle parking facilities shall be provided prior to the first occupation of any building in each phase and thereafter all off-street parking occupation shall be retained for that purpose.

Reason: To ensure required parking standards are adhered to and to achieve modal shift from private car to other forms of transport in accordance with the transport assessment.

47. Unless otherwise agreed, no part of the Science Park shall be occupied until a Car Park Management Scheme regarding the operations of the car parks have been submitted to and approved in writing by the Local Planning Authority. The Car Park Management Scheme shall be implemented in accordance with the approved scheme.

Reason: To ensure adequate provision of car parking to serve the development.

Public Realm and Public Art Strategy

48. Prior to the submission of any reserved matters application, a Public Realm and Public Art Strategy shall be submitted to and agreed in writing by the Local Planning Authority. This strategy shall:-
- i) include all street furniture including seating, bollards, lighting, litter bins, dog bins, hoardings, notice boards, etc and the treatment of open spaces and vacant plots
 - ii) show how the design of the development will reflect the landscape setting and retained historic structures forming part of the former Redhayes House.

The development shall be carried out in accordance with the details contained in the approved strategy.

Reason: To ensure full and satisfactory information is provided in order to clarify the proposed appearance of the public areas within the development.

Highways

49. The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance / vehicle overhang margins, embankments, visibility splays, access, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins, for this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals.

50. The occupation of any part of the development authorised by this permission shall not begin until:

- The local planning authority (in consultation with the Secretary of State for Transport) has approved in writing a full scheme of works of improvement to provide the East of Exeter Phase 2 Link Road to increase capacity at M5 Junction 29 as shown on drawing reference Figure 11.1; and
- The approved works have been completed in accordance with the local planning authority's written approval (in consultation with the Secretary of State for Transport) and have been certified in writing as complete on behalf of the local planning authority.

Reason: To ensure that a satisfactory highway access is provided to serve the first Phase of the development.

INFORMATIVE

1. Gross Floorspace

For the avoidance of any doubt, the gross floorspace areas identified under Condition 7 above are maxima allowed for under the planning permission subject to demonstration of an acceptable environmental impact through the details to be prepared and submitted pursuant to the permission. They should not be taken to imply a commitment to that level of floorspace under the permission since it will be incumbent on the applicants to demonstrate through the detailed design process that the site is capable of accommodating the level of development allowed for within these maximum floorspace parameters.

2. Noise Control Plan

In respect of Condition 43 it should be noted that, as a minimum, the Noise Control Plan should cover:-

- procedures for ensuring compliance with statutory or other identified noise control limits, with the possible production and use of a Construction Noise and Vibration Management Plan;
- procedures for ensuring that all works are carried out according to the principle of "Best Practice Means";
- general induction training for site operatives and specific training for staff having responsibility for particular aspects of controlling noise from the site;
- a noise monitoring / auditing programme;
- liaison with the local authority and the community.

In order to demonstrate the adoption of Best Practicable Means to control noise emission from the site, the following conditions and measures are applicable:-

1. Contractors should bring to site and employ only the most environmentally acceptable and quietly operating plant and equipment compatible with the safe and efficient execution of the works.
2. Noise emitted by any plant item should not exceed the limits quoted in either the relevant EC Directive or UK Statutory Instrument and should be no greater than the relevant values quoted in the current version of BS 5228.
3. All items of plant operating on the site in intermittent use should be shut down in the intervening periods between uses.
4. Any compressors brought onto site should be silenced or sound reduced models fitted with acoustic enclosures.
5. All pneumatic tools should be fitted with silencers or mufflers.
6. The excavation and demolition of existing structures should, wherever possible, be undertaken without the use of pneumatic breakers.
7. Wherever possible, the use of hydraulic attachments or other means of crushing concrete and hard materials should be used in preference to pneumatic breakers.

Where the use of impact hammers is necessary, their attachment to larger and heavier excavators often can reduce the level of vibration.

8. Care should be taken when erecting or striking scaffolds to avoid impact noise from banging steel. All operatives undertaking such activities should be instructed on the importance of handling the scaffolds to reduce noise to a minimum;
9. Deliveries should be programmed to arrive during daytime hours only. Care should be taken when unloading vehicles to minimise noise. Delivery vehicles should be routed so as to minimise disturbance to local residents. Delivery vehicles should be prohibited from waiting on the highway or within the site with their engines running.
10. No radios or music should be played on the site.
11. All plant items should be properly maintained and operated according to the manufacturers' recommendations in such a manner as to avoid causing excessive noise.
12. All plant should be sited so that the noise impact at nearby noise sensitive locations is minimised or otherwise controlled. Local hoardings, screens or barriers should be erected as necessary to shield particularly noisy activities.

NB: As an alternative to a NCP the developer may wish to consider undertaking a Section 61 agreement under the Control of Pollution Act 1964 with East Devon District Council.

3. Materials

Condition 11 above requires samples of materials to be submitted and these samples must comply with the following criteria:-

Materials (General)

Prior to construction a reference panel sufficient representing the material in question should be built on site. The panel should be no less than 1 m sq in size and should be in the final proposed material, colour finish and texture including gloss factor to paint work, sprayed and powder coated materials.

The reference panel should be built on a level firm foundation in a dry location with natural daylight.

All panels should be viewable from close range and from approximately 3 metres away. All sample panels shall be viewed together to allow an assessment of the entire materials palette.

All materials should be reasonable free from damage, deformation and deflection especially edges and corners.

Materials (Brickwork)

All brickwork must be built in accordance with BS EN 771-1.

Materials (Render)

A through – render system is preferred.

4. Retail Uses

For the avoidance of doubt, in respect of the submission of any full planning application within the site the subject of this outline planning permission, which would include ancillary retail use or uses, the full extent, location and floor space of any such use or uses shall be submitted to and approved in writing by the Local Planning Authority in accordance with the Masterplan for the Science Park and that retail provision shall be limited to a scale and nature commensurate with the needs and numbers of employees on the site. This is in order to make provision for ancillary retail facilities on the site, but to prevent retail becoming a primary use of the land.

SECTION 106 AGREEMENT – DRAFT HEADS OF TERMS

1 GENERAL OBLIGATIONS

- (a) Parties to Agreement to be:
 - DCC (as landowner and Highway Authority)
 - Eagle One MMIII Limited (as landowner)
 - EDDC (as local planning authority).
 - Mortgagees also to be a party if applicable.
- (b) Where applicable, agreement to contain model land transfers which shall outline the terms upon which land is to be transferred to EDDC or other relevant body.
- (c) Agreement to bind successors in title.
- (d) Site wide liability clauses to be included.
- (e) Appropriate enforcement provisions where necessary allowing EDDC to perform obligations themselves in event of breach.. Appropriate security/bonds to be provided.
- (f) Index linking.
- (g) Where applicable, full servicing of sites.
- (h) Trigger points to be defined.

2 HIGHWAY OBLIGATIONS

- 2.1** Land required for improvement to Junction 29 of the M5 motorway to be dedicated as highway/transferred to the Highway Authority. Occupation of Phase 1 of the Development is not to occur until the Junction 29 improvements have been completed.
- 2.2** Owners to pay financial contributions to the Highway Authority towards a number of transport measures including footway/cycleway a new east of Exeter link road and off-site minor road improvements. Occupation of Phase 2 of the Development is not to occur until the new link road has been completed.
- 2.3** Owners to provide/fund traffic signals required as part of the development.

- 2.4 Owners to fund provision and use of monitoring equipment and data collection by Highway Authority to monitor vehicle Trip Rates.
- 2.5 If Trip Rates exceed specified rate, Highway Authority shall be entitled to serve a notice upon the Owners setting out the measures reasonably required to be taken in order to reduce Trip Rates.
- 2.6 In the event that one or more Trip Rate notice(s) are served a mitigation contribution shall be payable to the Highway Authority to be applied by the Highway Authority to fund measures to reduce Trip Rates, and for such improvements to sustainable travel as required.
- 2.7 Owners to use all reasonable endeavours to secure such Traffic Regulation Orders and/or Stopping Up Orders together with any necessary associated agreements as are required in connection with the Development.

3 PUBLIC TRANSPORT

- 3.1 Contribution towards provision of new bus services, and/or improvement to existing bus services.
- 3.2 Bus detection funding to be provided.
- 3.3 Contributions towards bus infrastructure including bus lane, a public transport interchange and other public transport measures as appropriate.

4 TRAVEL PLANS

- 4.1 Owners enter into obligation to provide an overarching travel plan for the Science Park to achieve Trip Rates referred to in the Agreement, under which shall sit individual travel plans to be provided by occupiers of any unit within the Development. Various measures to be included within such Travel Plans which are aimed at promoting suitable transport.

5 OPEN SPACE

- 5.1 Areas of open space (including a trim trail) to be located within the development and provided to the reasonable satisfaction of EDDC.
- 5.2 Owners to maintain the open space to reasonable satisfaction of EDDC. Method of adoption/maintenance to be agreed. In event of adoption by EDDC of Open Space a Commuted Sum to be paid.
- 5.3 Off site landscaping requirements - buffer to Blackhorse land.
- 5.4 Forward planting schemes to be undertaken for each phase.

6 PUBLIC CONVENIENCES

- 6.1 Public Convenience Provision to be made (either as a stand alone building or as part of another building).
- 6.2 Owner to maintain public conveniences to the reasonable satisfaction of EDDC. In event of adoption by EDDC a Commuted Sum to be paid

7 PUBLIC REALM & PUBLIC ART

- 7.1 Owners to submit details of proposed Street furniture in applications for reserved matters for each phase of development and shall provide those facilities in accordance with an agreed timetable. Adoption of facilities/contributions towards maintenance to be agreed.

7.2 Provision of/contribution towards Public Art.

7.3 Owner to maintain Public Art to the reasonable satisfaction of EDDC.

8 SUSTAINABILITY

8.1 All reserved matter applications in relation to any part of the land to comply with a Sustainability Strategy.

8.2 No unit to be constructed unless it achieves BREEAM Excellent rating. BREEAM Certificate to be provided for each unit and given to each new owner/occupier of the relevant unit.

8.3 Any contractors constructing any unit to be registered on the Considerate Constructors Scheme, or similar or successor scheme.

8.4 Each occupant and employee within the Development to be notified of main provisions of the Sustainability Strategy and Owners to use reasonable endeavours to ensure compliance.

8.5 On-site renewable energy should be investigated and procured where reasonably practicable. Reports of total energy consumed within the development to be provided on demand to EDDC.

8.6 Scheme to ensure that an agreed minimum percentage of the energy consumed within the Development derives from on-site renewable energy sources.

9 HOTEL

9.1 A specification of the proposed hotel to be approved prior to Commencement of Development. Owners to complete Hotel to the approved specification and retain such facilities as contained in approved specification.

10 USES

10.1 Restriction on uses of units to Science Park uses (save for Management Suite, Management Facility and Hotel).

The above Heads of Terms are subject to detailed discussions with the Owners and shall be added to or amended where appropriate following such discussions.

APPENDICES

