

EAST DEVON DISTRICT COUNCIL

Minutes of a Special Meeting of the Development Control Committee held at Knowle, Sidmouth on Tuesday 17 May 2005

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| Present: | Councillors: Lt. Col. A J M Drake (Chairman) Mrs M J Boote (Vice-Chairman) | |
| | D G Button R G Franklin D R A Key Ms S Merritt | R Mudge Mrs H Parr A W J Reed S C Wragg |
| Ward Members: | Councillors: Mrs R E Burrow | |
| Also Present: | Councillors: Miss V Ash T A Cope P A Diviani J E D Falby | M J L Green Mrs L A Roden N J Spence Mrs P A Stott |
| Apologies: | Councillors: G P Chamberlain A E J Dinnis S Hughes D R H Hull | J B Nicholson N Rogers P J Skinner C H Wale |

The meeting started at 5.30 pm and ended at 8.15 pm

*101 **Suspension of Part 4 of the Constitution, Standing Order 11.6 (b)**

The Chairman proposed that the above standing order be suspended to allow the tabling of multiple amendments that would assist the consideration of such a complex report.

RESOLVED that Part 4 of the Constitution, Standing Order 11.6 (b) be suspended for the duration of the meeting.

*102 **Broadclyst, Clyst Honiton, Rockbeare: Planning Application No. 03/P1900 The Development of a New Community**

Consideration was given to the report of the Head of Planning and Countryside Services in respect of the above planning application which was described as:

The development of a New Community comprising up to 2,900 residential dwellings, a town centre and local centre, comprising retail, employment, community and leisure uses, 2 primary schools, sports and recreation facilities, a country park, a railway station, a cemetery/burial ground, allotments, landscaping, engineering works and associated infrastructure, public infrastructure and car parking for all uses.

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The Development of a New Community (cont'd)**

The committee considered the comprehensive report and application for the new community (now known as Cranbrook), taking each chapter in turn and commenting on various areas of concern in detail. Members were generally very pleased with the progress made on the application but wished to highlight to the planning service and developers some areas of particular importance. These areas were:

- Quality of Design – Not accepting ‘off the shelf design types’, wish to see good design.
- Concerns over smaller roads into the new community and other nearby settlements must be looked at with regard to traffic increases
- Must be more social rented housing within the affordable housing allocation- this currently falls far short of what the council requires
- The Eco Standards attained must be higher than that which is currently offered
- Most important to have the three officers funding secured: Country Park Ranger, Youth Worker and Community Worker
- The possible position and provision of telecommunication masts to be examined with a view to minimizing their number/and or size
- The success of Exeter International Airport must not be jeopardised in any way by the application
- Protection of the trees & hedges on the site
- Pursue the Sustainability issues
- Consideration given to the allocation of ‘self-build’ plots
- Negotiate with developers to include finance to support additional planning & enforcement work in connection with the project.

RESOLVED that subject to a significantly improved offer on affordable housing and the consideration of the Secretary of State under the Town & Country Planning (Shopping Direction) (England & Wales) No. 2 Direction 1993 and the Town & Country Planning (Residential Development on Greenfield Land) Direction 2000 East Devon District Council Development Control Committee having considered environmental information under the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 be MINDED TO GRANT OUTLINE PLANNING PERMISSION subject to:-

- a) **Submission and approval of the following strategies prior to the issue of any planning permission:**
 - i) **Sustainability Strategy**
 - ii) **Strategic Design Guidance**
 - iii) **Phasing Strategy**
 - iv) **Strategic Landscape Strategy/Framework**
 - v) **Housing Strategy**
 - vi) **Employment provision strategy**
- b) **The applicants entering into a Section 106 Agreement the draft heads of terms of which are set out below.**
- c) **The outcome of the negotiations on the Section 106 Agreement, any additions or amendments of the conditions that may be required, including in the light of submission of the above strategies and including outstanding highway matters in relation to the Phase 2 Access Strategy for Proposed Development to the East of Exeter being reported back to Committee for final determination.**
- d) **the following conditions;**

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The Development of a New Community (cont'd)**

The conditions and clauses as presently drafted may need amendment and/or amalgamation within the provisions of the Strategies and associated Action/Business Plans. Consequently they are intended at this stage only as an indication of necessary areas to be covered and should not be read as the final version. The final version will be presented when the application returns to the Development Control Committee for final determination.

DRAFT CONDITIONS

Reserved Matters

1. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.
Reason - The application is in outline with one or more matters reserved.
2. Plans and particulars of the reserved matters referred to in condition 1 above shall be submitted in writing to the local planning authority and shall be carried out as approved.
Reason - The application is in outline with one or more matters reserved.
3. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of six years from the date of this permission.
Reason - In accordance with the requirements of Section 92 of the Town & Country Planning Act 1990.
4. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason - In accordance with the requirements of Section 92 of the Town & Country Planning Act 1990.
5. The submission of all reserved matters and the implementation of development hereby permitted shall be carried out in broad accordance with the mix and disposition of land uses and major highway network contained in the Amended Development Framework Plan reference WCN028/AA/003, supporting Revised Planning Statement dated March 2005 and Strategic Design Guidance (dated 2005), or in accordance with any subsequent amendment to the Development Framework Plan which may subsequently be approved in writing by the local planning authority.
Reason - To define the scope of this permission.
6. The development of the New Community will be carried out in accordance with the terms and provisions of the following approved strategies and their associated action/business plans:-
 - a) Sustainability Strategy
 - b) Strategic Design Guidance
 - c) Phasing Strategy
 - d) Strategic Landscape Strategy/Framework
 - e) Housing Strategy
 - f) Employment provision strategy.Reason – To ensure that the New Community is a balanced and sustainable settlement.

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The Development of a New Community (cont'd)**

DRAFT CONDITIONS (cont'd)

Master Plan

7. Reserved Matters applications shall accord with the Strategic Design Guidance and Masterplan to be submitted prior to the submission of reserved matters.
Reason – To ensure a high standard of design is consistently delivered throughout.
8. Notwithstanding the details of the Illustrative Masterplan submitted with the outline application the reserved matters submissions shall include provision for a public transport corridor to accommodate trams/light rail or special buses between the new railway station and the proposed Exeter Airport Terminal where such a route falls within land within the ownership or control of the developers.
Reason – To protect the potential to integrate these strategic transport sites with quality public transport.

Design Codes

9. Before the submissions of any Reserved Matters application or otherwise in accordance with a programme that first shall be agreed in writing with the LPA, a detailed Master Plan, Strategic Design Guidance and Detailed Design Codes setting out the principles of good design, as well as all formal and informal open space within the development shall be submitted to and approved in writing by the local planning authority. A street hierarchy, avenue/boulevard [spine road], square(s), secondary roads, other residential streets and rear courts shall be defined and appropriate design parameters given for each; these design parameters should include, inter alia: built form and townscape, architectural design, building envelopes, parking, open space and quarters for which individual principles or treatments are specified.
Reason – To ensure a high standard of design is achieved.

Phasing

10. The development shall be built in phases in accordance with a phasing strategy which shall be submitted to and approved in writing by the local planning authority before building or other operations start. The development of the second and any subsequent phases shall not be started until the preceding phase has been completed unless the prior written consent of the Local Planning Authority has been obtained or is set out in the phasing strategy.
Reason - To ensure that only a limited area is affected by construction operations at any time.

Archaeology

11. No development shall take place on site until the applicant, or their agents or successors in title, 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 in writing by the local planning authority.
Reason - In the interests of archaeology. The site comprises an area of known archaeological interest where it is the Local Planning Authority's policy to provide for the examination of archaeological remains.
12. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority and shall allow him or her to observe the excavations and record items of interest and finds. Reason - To afford the opportunity of archaeological investigation and proper recording of the area.

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The Development of a New Community (cont'd)**

DRAFT CONDITIONS (cont'd)

Drainage

13. No development shall take place until details of a Sustainable Urban Drainage System (SUDS) for the disposal of the surface water from the site has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied in each agreed phase of development until the relevant phase of works for the disposal of surface water has been completed.
Reason - To avoid pollution of the environment and/or flooding.
14. No development shall take place until details of the foul water drainage system have been submitted to and approved in writing by the local planning authority. The scheme shall be carried out in accordance with the approved details for each agreed phase of development no dwelling in that phase shall be occupied until the relevant phase of works has been completed.
Reason - To avoid pollution of the environment and/or flooding.
15. The foul drainage shall be connected to the public sewer and shall be kept separate from clean surface and roof water.
Reason - To avoid pollution of the environment.
16. Any foul drainage system which discharges effluent shall be sited so as not to cause pollution to any watercourse or water source. Any effluent soakaway area shall be sited not less than 30 metres from the nearest watercourse not less than 50 metres from any other foul soakaway area and not less than 100 metres from the nearest source of potable water supply.
Reason - To avoid pollution of the environment and/or any water supply.
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. Any material required to raise ground levels, shall be restricted to clean, inert, uncontaminated soil and spoil.
Reason - To prevent pollution and safeguard the amenities of the area.
19. No sewage 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 of 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 of the water environment.

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The Development of a New Community (cont'd)**

DRAFT CONDITIONS (cont'd)

21. Before any development commences details of final finished floor levels and finished ground levels in relation to a fixed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason - To ensure that adequate details of levels are provided so that the risk of flooding of residential properties can be minimised.

Landscaping/Open Space conditions

22. No development shall commence on the site until a Landscape Strategy has been submitted and approved by the Local Planning Authority. This is to include the Structural Landscape Scheme for the whole New Community and the Landscape and Biodiversity Management Plan. The Landscape Strategy shall address the issue of the relationship between the New Community and the Exeter Airport and other identified key locations, together with important landscape features, views and vistas in and out of the development.
Reason - To ensure a high standard of design is achieved.
23. The Structural Landscape Scheme and equipping of all of the open space areas, green routes, existing watercourses and their associated buffer zones, peripheral landscaping, the road network and principal footpath/cycle and footpath networks shall be submitted to and agreed in writing by the LPA. Such a scheme will contain a programme which allows for its phased implementation. Development shall not commence in any section of development until the strategic landscaping scheme for that section has been approved in writing by the LPA. The development hereby permitted shall be carried out in accordance with the approved scheme.
Reason - To ensure the appearance of the development is satisfactory.
24. No development shall commence on the site until a phased planting programme for the structural landscaping has been submitted and approved by the Local Planning Authority. The early key phase(s) of the structural landscaping shall commence in combination with the start of the construction of the New Community on site. Later phases of structural planting will run in advance of the development Phasing Strategy.
Reason - To ensure the development is ameliorated into the surrounding landscape and in the interest of amenity and the proper planning of the area.

Landscape and Biodiveristy Management Plan

25. Prior to the commencement of the development a Landscape and Biodiveristy Management Plan shall be submitted to and approved by the Local Planning Authority. The Management Plan shall address the long term objectives and management of all the existing and created areas of landscape (other than privately owned small domestic gardens) whether natural or formed and to provide plan(s) to identify specific areas of work accompanied by a schedule of works and maintenance regime for a minimum period of 10 years. Arrangements for the long term management of these areas shall be included. The provisions of the Landscape and Biodiveristy Management Plan shall be implemented in accordance with Landscape Phasing Programme.
Reason - To ensure the development is ameliorated into the surrounding landscape and in the interest of amenity and the proper planning of the area.

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The Development of a New Community (cont'd)**

DRAFT CONDITIONS (cont'd)

26. No development approved by this planning permission shall be commenced until and investigation has been carried out to establish the extent and impacts of potential contaminated soils and groundwater at the site. This investigation should be based on the findings in the desk study and will include development and refinement of the conceptual model, site investigation, risk assessment, remediation proposals and method statement. This work will be carried out in a phased approach with each phase informing and determining the need to carry out later phases. This work will be carried out in accordance with current good practice and agreed by the Local Planning Authority. Remediation, if required, will be carried out according to the above, agreed documents.
Reason - To protect the water environment.
27. If, during redevelopment, contamination of ground or groundwater is encountered, then an investigation and assessment shall be carried out and submitted to the Local Planning Authority. This work will detail how contamination will be managed. Further work on site will be carried out according to the results of this work.
Reason - To protect the water environment.
28. Each agreed phase of development (in accordance with the Phasing Strategy) will be accompanied by the appropriate phase of landscape, (as set out in the Landscape Phasing Programme and reserved matters details to be implemented in the first available planting season following occupation of either 50% of the dwellings/buildings in the relevant phase or with 2 years of the commencement of the phase, whichever is the sooner.
Reason - In the interests of preserving and enhancing the character and appearance of the area.
29. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include location, species, girth or stem diameter, accurately plotted crown spread and reference number of all trees on and adjoining the site with a stem diameter of 100mm or greater; a numbered tree condition schedule with proposals for surgery or other works, where applicable; existing levels including, where appropriate, sufficient detail to allow proper consideration of existing tree protection; location, spread and other details of existing hedgerows, hedges and other significant areas of vegetation; proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; recreation facilities; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc. indicating lines, manhole, supports etc.); retained historic landscape features and proposals for restoration, where relevant.
Reason - In the interests of preserving and enhancing the character and appearance of the area and in the interest of amenity and the proper planning of the area.
30. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment in accordance with the approved Landscape and Bio-diversity Management Plan); schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme.
Reason - In the interests of preserving and enhancing the character and appearance of the area.

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The Development of a New Community (cont'd)**

DRAFT CONDITIONS (cont'd)

31. All landscaping shall be carried out in accordance with the approved schemes which within a period of 5 years from the date planted, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with other(s) of similar size and species unless the Local Planning Authority gives written consent to any variation.
Reason - In the interest of amenity and the proper planning of the area.
32. Prior to any development taking place within 10 metres of the Cranny Brook or the Rockbeare Stream, details of a buffer zone alongside the brook/stream shall be submitted to and agreed in writing by the local planning authority and the development shall be carried out in accordance with the approved details. Thereafter, no development other than land drainage works, underground services where required to cross watercourse(s), landscaping, footpaths, crossing points and associated works shall take place within such buffer zones.
Reason - To protect flora and fauna dependent on the aquatic environment and to protect the riverine environment in general.
33. Prior to the commencement of works in each phase, all existing open watercourses, other aquatic features and associated vegetation within that area shall be retained and protected from physical and chemical disturbance or pollution by measures details of which shall be submitted to and approved in writing by the local planning authority, unless otherwise agreed first in writing by the local planning authority.
Reason - To protect flora and fauna dependent on the aquatic environment and to protect the riverine environment in general.
34. No existing tree on site shall be lopped, topped, felled, destroyed or wilfully damaged including any damage to root(s), without the prior written consent of the Local Planning Authority. Furthermore, no burning of materials shall take place where it could cause damage to any tree or tree group on the site or land adjoining.
Reason - To protect trees on the site in the interests of preserving and enhancing the amenity of the area.
35. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.
Reason: To protect trees on the site in the interests of preserving and enhancing the amenity of the area.
36. No existing hedgerows shall be lopped, topped, felled, uprooted, destroyed (including severance of roots), or wilfully damaged without the prior consent of the local planning authority. Any part of any hedgerow which is uprooted, dies or becomes diseased, shall be replaced before the end of the next available planting season with a species, details of which shall first have been submitted to and approved in writing by the local planning authority.
Reason - To ensure minimum interference with the hedgerows on the land.

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The Development of a New Community (cont'd)**

DRAFT CONDITIONS (cont'd)

37. Any replacement hedgerows shall thereafter be permanently retained. Furthermore, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that Order, no fence or other means of enclosure shall be erected within or closer to any existing hedgerow other than as shown on the approved plans.
Reason - To ensure minimum interference with the hedgerows on the land.
38. No development other than land drainage works, underground services where required to cross water course(s), landscaping, footpaths and associated works shall take place within such Buffer Zones.
Reason - To protect flora and fauna dependent on the aquatic environment and to protect the riverine environment in general.
39. Prior to the commencement of works within each phased area, all existing open water courses, other aquatic features and associated vegetation within that Framework Plan area shall be retained and protected from physical and chemical disturbance or pollution by measures details of which shall be submitted to and approved in writing by the Local planning Authority unless otherwise agreed first in writing by the Local Planning Authority.
Reason - To protect flora and fauna dependent on the aquatic environment and to protect the riverine environment in general.
40. The Landscape Strategy shall incorporate details of existing and replacement ponds and associated habitats, in accordance with the mitigation measures recommended by the Environment Statement and those yet to be determined by the Local Planning Authority.
Reason: To protect flora and fauna dependent on the aquatic environment and to protect the riverine environment in general.
41. 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 mitigation measures required by the Environmental Statement, shall be submitted to and approved in writing by the local planning authority. The terms of the agreed scheme shall be implemented.
Reason - In order to generate a net increase in biodiversity by the protection, conservation and enhancement of the landscape and ecological features within the site.
42. No demolition or partial demolition of existing buildings or management and felling of trees on the site shall take place without specific mitigation measures for any bats or roosts found, being submitted to and approved in writing by the local planning authority prior to the demolition or felling.
Reason – To ensure the preservation of bats and their associated environments.
43. Prior to the commencement of works within each land parcel defined in the phasing programme a survey of the area for the presence of badgers and occupied setts shall have been completed in accordance with the Environmental Statement. Proposals to protect all identified badgers and occupied badger setts within that area shall be implemented in accordance with a scheme that shall have first been submitted to and approved in writing by the local planning authority in accordance with the Environmental Statement.
Reason – To ensure the preservation of badgers and their associated environments.

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The Development of a New Community (cont'd)**

DRAFT CONDITIONS (cont'd)

Protected Species

44. Prior to any work commencing on site, a detailed survey of the building(s) to be converted, other structural features and the surrounding landscape in and around the site including adjoining trees, hedgerows and foraging areas shall be undertaken by a suitably qualified ecological consultant in order to establish the presence of protected species. Results of the survey, along with a detailed schedule of works to protect and/or enhance the habitat and/or roosting areas of any identified species, along with a programme of works which minimises disturbance to the said species shall be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the agreed programme/timetable of works.
Reason – In order to safeguard protected species within an area of known conservation interest.

Open Space

45. Before the development hereby permitted is commenced a scheme for the design, provision, equipping, maintenance and management for Open Space, Recreation Facilities and Play Areas shall be submitted and approved by the Local Planning Authority. Each agreed phase development (in accordance with the Phasing Strategy) will be accompanied by the appropriate phase of landscape, (as set out in the Landscape Phasing Programme and reserved matters details to be implemented in the first available planting season following occupation of either 50% of the dwellings/buildings in the relevant phase or with 2 years of the commencement of the phase, whichever is the sooner.
Reason - In the interest of amenity and the proper planning of the area.
46. Phasing of Open Space, Recreation Facilities and Play Areas as set out on accompanying agreed Phasing Plan following the occupation of either 50% of the dwellings/buildings in the relevant phase or with 2 years of the commencement of the phase, whichever is the sooner. The detailed design for equipment and safety features will be reviewed at 2 yearly intervals and approval of Reserved Matters submissions for individual phases of development will comply with the most recently reviewed schedule of agreed designs and legislation.
Reason - In the interest of amenity and the proper planning of the area.

Changing Facilities

47. Before any works are commenced on site, details of the siting, phasing and design of the changing facilities to be provided in association with the sports pitches shall be submitted and approved in writing by the Local Planning Authority. The facilities shall then be constructed in accordance with those details. For the avoidance of doubt, the changing facilities shall be available for use to coincide with the provision of the sports pitches.
Reason – In the interests of the character and appearance of the locality and to ensure that appropriate amenities are available for all uses of the sports facilities.

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DRAFT CONDITIONS (cont'd)

Walls/Fences

48. Before the development hereby permitted is commenced, details of the walls and/or fences and other forms of enclosure to be erected within the curtilage of the dwellinghouse shall be submitted to and approved in writing by the local planning authority. Any walls and/or fences shall be erected in accordance with the approved details within the curtilage of the dwellinghouse before it is first occupied. 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), these walls and/or fences shall not thereafter be altered, removed or replaced without the prior written approval of the local planning authority.
Reason - In the interests of preserving and enhancing the character and appearance of the area and/or protecting the privacy of local residents.

Provision for Refuse Storage

49. Detailed plans for the residential and commercial development shall include provision for refuse and recycling storage facilities. Such provision to be implemented in accordance with the approved plans.
Reason – To ensure this amenity is satisfactorily integrated into the design of the development.

Schedule of Phasing of Road, Services and Facilities

50. There shall be no occupation of any dwelling after the construction of the first 2,200 shall take place until one of the Phase II options in the Access Strategy for the proposed developments to the East of Exeter in the Exeter Area of Economic Activity or an equivalent is in place.
Reason – In the interests of ensuring that the highway infrastructure is in place to accommodate the additional traffic movements predicted post 2,200 dwellings at the New Community.
51. No development shall be commenced before development also begins on the proposed Clyst Honiton Bypass and associated improvements to the A30 trunk road at Airport Junction. All works associated with these works shall be completed and the Bypass shall be open to traffic, before the 500th dwelling is occupied.
Reason – In the interests of ensuring that the highway infrastructure is in place to accommodate the additional traffic movements predicted after the occupation of the 500th dwelling.
52. No development shall be commenced before development also begins on the bus lane under the M5 and junction 29 and this bus lane shall be extended to Moor Lane Roundabout. All works associated with the bus lane shall be completed and the bus lane shall be open to traffic, before the 500th dwelling is occupied.
Reason – In the interests of ensuring that the highway infrastructure is in place to accommodate the additional public transport requirements predicted after the occupation of the 500th dwelling at the New Community and to promote use of sustainable travel modes by the new residents.

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The Development of a New Community (cont'd)**

DRAFT CONDITIONS (cont'd)

53. No development shall commence until details for the implementation, monitoring (including via traffic counters at the entry and exit points to the site) marketing and review of a Travel Plan for the development have been submitted to and agreed in writing by the Local Planning Authority in consultation with the Highways Agency. Such details shall include proposals for the provision of information on sustainable travel, targets for mode share, provision of public transport services, provision of cycling and walking to and from the development site, and time scales for the implementation, monitoring, reporting on and review of the Plan.

Reason – To monitor traffic movements in order to assess the need for changes and/or improvements to public transport provision in the interests of promoting and achieving sustainable travel modes.

54. No part of the development shall be commenced until details of all the following matters have been submitted to and approved by the Local Planning Authority:-

- (i) The matters listed in Part 1 of the Schedule annexed hereto (hereinafter called “the Schedule”). (Informative – One)

Reason – To ensure adequate information is available for the proper consideration of the detailed proposals, the site is developed in a proper manner, adequate access and associated facilities are available for all traffic attracted to the site, in the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining and future residents.

55. No buildings shall be commenced until the relevant facilities/services described in Part I of the Schedule have been constructed in accordance with the requirements of Part IIA of the Schedule and no dwelling shall be occupied until the said facilities/services have been provided and completed in respect of such dwelling in accordance with the requirements of Part IIB of the Schedule.

Reason – To ensure adequate information is available for the proper consideration of the detailed proposals, the site is developed in a proper manner, adequate access and associated facilities are available for all traffic attracted to the site, in the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining and future residents.

56. The provisions of the Travel Plan shall be implemented in accordance with the Schedule of implementation contained with the Plan.

Reason – In order to ensure the maximum modal shift from private to public transport in line with the latter’s provision.

57. Phasing shall be agreed with the Local Planning Authority such that all occupied dwellings can be served by public transport in an efficient manner; that the spine road is introduced in such a manner as to cause minimum diversion of public transport; that the form of junctions at each end of the settlement are such that appropriate volumes of traffic use the spine road compared with the former A30 at each stage of development; and that convenient pedestrian/cycle routes are available to local internal destinations at all times.

Reason – To ensure that adequate facilities are provided within the site for the traffic likely to be generated by the proposed development and to ensure that the works are completed within a specified time.

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The Development of a New Community (cont'd)**

DRAFT CONDITIONS (cont'd)

Railway Station

58. Full details of design of the proposed railway station shall be submitted and approved in writing by the Local Planning Authority. The railway station shall be constructed in accordance with those details.
Reason – To ensure satisfactory provision of railway station in accordance with the Development Plan requirement.
59. Details of the bus lay-by, cycle storage facilities and car parking in connection with the Railway Station shall be submitted to and approved by the Local Planning Authority. The bus lay-by, cycle, storage facilities and car parking should be provided in accordance with those details, which shall be no later than the opening of the railway station to members of the public.
Reason – To ensure the railway station has adequate provision for buses, cycles and car parking.

Parking

60. Details of parking provision to at least the minimum standards required by the LHA within the site are to be submitted to and approved by the Local Planning Authority and are to be provided in accordance with those approved details.
Reason – To ensure required parking standards are adhered to.
61. Prior to the commencement of the public transport routes, details of low level bus access, and shelters shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details.
Reason – To ensure the proper provision of facilities in the interests of public safety.
62. Unless otherwise agreed no part of the town centre shall be occupied until a Car Park Management Agreement regarding the operations of the town centre car parks have been completed.
Reason – To ensure adequate provision of public car parking.

Access for people with physical, sensory or other impairments

63. Before the development hereby permitted is commenced a strategy will be required setting out how the needs of people with physical, sensory or other impairments will be incorporated into the amenities, facilities, design colours, materials and details of the development proposals. Access will be provided to any building open to the public including communal housing or buildings used for employment, retail, education nursery, health, assembly, recreation or transport purposes and details shall be submitted to and approved in writing by the Local Planning Authority before the buildings/spaces are occupied or their use commenced. The development hereby permitted shall be carried out in accordance with these approved details and the provision shall be retained for so long as the specified uses remain.
Reason – To ensure that the access and sensory experience of those members of the community as set out above is considered and designed-in at the outset of development.

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The Development of a New Community (cont'd)**

DRAFT CONDITIONS (cont'd)

Cycle Parking

64. Reserved Matters to be submitted for all non residential developments shall ensure provision of cycle parking facilities, these to be installed and available for use on first occupation of the building.
Reason – To achieve modal's shift from private car to other forms of transport in accordance with the transport assessment.

Light Pollution

65. All lighting in the public/semi-public realm shall be installed in accordance with the best practice guidelines and design codes.
Reason – To minimise energy use, light spill trespass and light pollution and safeguard the amenities of nearby residents and safety of aircraft.

Noise Pollution Measures

66. Construction work on any residential building shall not begin in the western part of the application site, defined as "Land subject to restriction due to engine testing" on the Inset Map 24 (PUA 1) in the Local Plan, until a noise control scheme for protecting the proposed noise sensitive development has been submitted to and approved by the local planning authority. The scheme shall ensure that:-
- (a) no residential building shall be forecast to be exposed to greater than 65dB LAeq,(5 minutes) at night from engine test noise at Exeter International Airport.

OR

- (b) where this cannot be achieved, the building envelope of the bedrooms of any residential building shall be constructed so as to provide sound attenuation against external noise, by having a building envelope sound insulation of 30dB(A), with windows shut and other means of ventilation provided between 2300 and 0700 hours.

Reason – To safeguard the amenities of future occupants.

67. Before any works are commenced on site, details of a landscaping scheme to provide a noise barrier between the Exeter Airport and the New Community shall have been submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.
Reason – To protect the amenity of the residents who will be occupying the development.

Details Required for Commercial Premises

68. Unless otherwise agreed in writing with the Local Planning Authority no development shall commence on site for non-residential purposes until the following relevant details have been submitted to and approved in writing by the Local Planning Authority.
- a) A shop front/advertisement design.
- b) The route lines of all services both on and off-site.

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DRAFT CONDITIONS (cont'd)

68. c) Proposed opening hours of the Class A3 (restaurants and cafes); Class A4 (Drinking establishments); Class A5 (Hot food takeaways) units/uses as defined by the Town & Country (Use Classes) (Amendment) (England) Order 2005.
- d) Proposed hours of operation for Class B (Business) Uses.
- e) All external lighting.

Reason – To ensure a satisfactory appearance and implementation of the development.

Construction and Environmental Management Plan

69. Unless otherwise agreed in writing with the Local Planning Authority, no development shall commence on site until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:-
- a) Lorry routing, manner of construction such that minimum impedence is caused to public transport.
- b) Details of how noise will be controlled and how insulation measures to mitigate against noise within affected buildings are to be implemented.
- c) The procedure to be followed should a complaint relating to noise/dust be received by either the developer or the Council. The developer will be required to carry out an investigation to establish the justification, or otherwise, of the complaint, the likely cause and possible remedial measures. A written report to the Local Planning Authority shall be made as soon as reasonably practicable following the investigation and should include details of the remedial action taken.
- d) Proposed hours of construction work.
- e) A programme and methods to be used for monitoring noise/dust during demolition/construction.
- f) Details of procedure to be followed should a complaint be received by either the developer or the Council.
- g) Procedure for wheel washing of all construction traffic leaving the site.
- h) Lighting and hours of operation during construction.
- i) Location of all storage compounds.
- j) Schedule of vegetation clearance.
- k) Soil Management Plan.
- l) A construction waste audit.

The construction of the New Community will be carried out in accordance with the approved CEMP.

Reason – In the interest of the amenity of existing and future residents.

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DRAFT CONDITIONS (cont'd)

External Plant or Machinery

70. No external plant or machinery shall be installed on any building within the site without the prior approval of the Local Planning Authority.
Reason – In the interests of local amenity.
71. Extract ventilation equipment with filters shall be installed and maintained within all units operating within Class A3, Restaurant and Cafes, Class A4, Drinking Establishments, Class A5 Hot food takeaway of the Town & Country Planning (Use Classes) (Amendment) (England) Order 2005 in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the use commencing.
Reason – In the interests of local amenity.

Public Realm

72. Unless otherwise agreed no development shall take place within the neighbourhood centre [to be defined] and town centre [to be defined] until full details of all street furniture, including lights, litter bins, seats, bollards, signage (information panels), etc have been agreed and approved in writing by the Local Planning Authority. The street furniture shall be provided and implemented in accordance with a phasing plan and in accordance with the approved details.
Reason – To ensure full and satisfactory information is provided in support of the proposal.
73. No buildings shall be erected within 17 metres of the 250mm High Pressure Transmission gas pipeline that is routed through the site or as shall otherwise have been agreed in writing with the Local Planning Authority before any works are commenced on site.
Reason – In the interests of public safety.
74. Prior to the commencement of development, details of ground gas protection measures shall be submitted and approved by the Local Planning Authority. These measures to be implemented in accordance with the approved details.
Reason – To prevent gas pollution of the environment.

INFORMATIVE ONE

SCHEDULE

Introduction – As Local Planning Authority the East Devon District Council, with the co-operation of the Devon County Council who are the local Highway Authority, have produced this schedule to secure the proper development of residential estates in the public interest. The Schedule specifies the information required at the detailed planning stage and prescribes the phasing of roads, services and facilities in relation to the construction.

PART I

(Details to be submitted and approved by the Local Planning Authority prior to the commencement of any part of the development.)

Details of the proposed estate roads, footways, footpaths, junctions, street lighting, sewers, drains, retaining walls, service routes, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture, such details to be provided by way of plans and sections indicating as appropriate the design, layout, levels, gradients, materials and methods of construction.

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PART II – General

(Phasing of the Road Construction and Completion)

For the purposes of this Schedule the expression “phase” shall mean a phase of comprehensive development shown on a phasing plan approved in writing by the Local Planning Authority and, except as may otherwise be agreed in writing by the Authority, no phase shall exceed such part of the said development as is likely to be completed within two years. Where no phasing plan has been so approved the expression “phase” shall mean the whole of the said development.

PART II A

(Works required prior to commencement of construction of any building in a phase)

Except as may otherwise be agreed in writing by the Local Planning Authority, all the following works shall be carried out within the phase prior to the commencement of construction of any building within the phase:-

- (i) The carriageways shall be laid out, kerbed, drained and constructed up to and including base course level and thereafter maintained free of obstruction to the free passage of vehicular traffic. All ironwork shall be set to the base course levels and all sewers, manholes and service crossings within a phase shall be completed.
- (ii) The footways and footpaths shall be laid out, kerbed and constructed up to and including sub-base material level and thereafter maintained free of obstruction to the free movement of pedestrians.
- (iii) The verges, service/vehicle clearance/maintenance margins and visibility splays shall be laid out and constructed to their final level.
- (iv) Where within a phase a cul-de-sac as constructed does not include a vehicle turning facility, a temporary vehicle turning facility shall be provided to the satisfaction of the Local Planning Authority.
- (v) Where within a phase a carriageway, footway or footpath is not directly connected to an existing highway maintainable at public expense (or a street which is the subject of an agreement under section 38 of the Highways act 1980) all intervening carriageways, footways and footpaths shall be constructed in the same way and subject to the same requirements as those set out in (i) to (iv) above.

PART II B

(Works required (a) prior to occupation of each building in a phase and (b) within twelve months of the occupation of the first building within such a phase)

Except as may otherwise be agreed in writing by the Local Planning Authority, the works described in (i) to (v) below shall be carried out prior to the occupation of each building in a phase and the works described in (vi) below shall be carried out within 12 months of the occupation of the first dwelling within such phase:-

- (i) The footways and footpaths that provide the building with direct pedestrian routes to an existing highway maintainable at public expense (or to a street that is the subject of an Agreement with the County Council under Section 38 of The Highways Act 1980) shall be surfaced up to and including base course level and thereafter maintained free of obstruction to pedestrian traffic.

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- (ii) The street lighting for the carriageways, cycleways, footways, footpaths and for the pedestrian routes referred to in (i) above shall be provided, erected commissioned and thereafter maintained.
- (iii) The car parking, lorry parking and any other off-street vehicle movement provision required by the planning permission for the building shall be completed.
- (iv) On shared surface roads the verge, service/maintenance/vehicle clearance margins and any vehicle crossing on the road frontage of the building shall be completed with the highway boundary properly defined.
- (v) The street nameplates shall be provided, erected and maintained thereafter.
- (vi) Within twelve months of the occupation of the first building within a phase, all carriageways, cycleways, footways, footpaths (including any such intervening carriageway, cycleway, footway or footpath as is mentioned in PART II A (v) above), drainage, statutory undertakers mains and apparatus, junction, access, retaining wall and visibility splay works shall be wholly completed.

In Circular No 79/74 the Department of the Environment advised Local Planning Authorities as follows :-

“It is important that when new streets are created they should be planned to be made up as soon as possible and adopted as highways maintainable at public expense, not left as private streets which may be made up at some time in the future at the discretion of the street works authority.”

The street works authority for the East Devon District is the Devon County Council. The developer has prepared a Strategic Design Code and Detailed Design Codes which deal, inter alia, with street layouts. Where streets are in accordance with those Codes the developer can enter into agreements with the County Council for the adoption of proposed new highway works and the District Council strongly recommend all developers to enter into such agreements before the development commences.

Having regard to the advice in Circular 79/74 the District Council will operate the following development control policy:-

Detailed Plans – No detailed plans of a new street will be approved for the purposes of planning permission unless such plans meet the County Council’s highway requirements. The District council will liaise with the County Council in this respect to ensure that plans approved pursuant to planning permission will be acceptable to the County Council for the purposes of an adoption agreement.

(NB – Negotiations between the County Council and developers in respect of road adoption agreements will only take place after the approval of such plans.)

Construction Programme – Planning conditions will require provision of certain highway facilities before commencement of building construction commences and will require completion of all relevant highway works before occupation of buildings.

With regard to the highway facilities required before building construction commences, the District Council will for example require the construction of new roads to base course standard (see next section) and the provision of all new visibility splays and other traffic movement facilities etc.

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Where appropriate the District Council will agree to the orderly phasing of development, but such phasing must incorporate the provision of adequate highway facilities in respect of each phase. However, piecemeal development unrelated to an agreed orderly phasing programme is not acceptable.

All phasing arrangements must be agreed by the Council in writing.

Enforcement – The District Council will monitor compliance with all planning conditions relating to the subject matter of this note and when breaches occur enforcement action will be put in hand and, in appropriate cases, serious consideration will be given to the service of stop notices, especially where building construction work proceeds whilst requirements of an enforcement notice remain outstanding.

With regard to standards of construction of highway works, the District Council will require all works to be constructed in accordance with the County Council Specifications.

The District Council will obtain the County Council's advice on construction standards in all cases where the developer has entered into an adoption agreement which provides for supervision and inspection by the County Council. In cases where there is no such agreement the District Council will require the developer to provide conclusive evidence to satisfy the Council that the highway works have been constructed in accordance with the County Council guide.

The Council will in all cases call for a report from the County Council before confirming that the relevant planning conditions have been complied with. However, the issue of any such confirmation by the District Council will not be binding upon the County Council as the statutory street works authority and will not guarantee the release of any monies or security held by them against the making up of a private street.

- **Informative 2** – It should be highlighted that it remains the responsibility of the applicant to ensure that the development does not affect any existing legal water interests in the area.
- **Informative 3** - The provision of a petrol filling station shall not include a shop as an ancillary use unless otherwise agreed in writing by the LPA.
- This Decision relates to the Amendment Application Drawings:-
 - Application site Boundary Plan WCN028/AA/001
 - Context Plan WCN028/AA/002
 - Development Framework Plan WCN028/AA/003
 - Building Heights and Residential Density Plan WCN028/AA/004

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SECTION 106 AGREEMENT DRAFT HEADS OF TERMS

1.0 GENERAL OBLIGATIONS

Parties to Agreement to be Landowners, Developers (comprising EDNCP), EDDC and DCC. Mortgagees also to be a party if 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

Agreement to bind successors in title

Site wide liability clauses to be included

Appropriate enforcement provisions allowing EDDC to perform obligations themselves in event of breach (under appropriate step-in rights and bonds from the developers). These provisions may be contained in separate enforcement/security deed.

Index linking

Full servicing of sites

Services/infrastructure to be to boundary of any further potential development land not included in this application

Trigger points to be defined unless otherwise stated.

Restriction/definition of community uses where necessary to ensure appropriate user of community buildings

2.0 MITIGATION

2.1 Developers to submit details to EDDC for approval of mitigation measures identified in the Environmental Statement, to cover the following matters (in so far as they are not dealt with by separate conditions):- geology and contamination, soils and agriculture, water resources, landscape and visual, ecology, transport, air quality, noise and vibration, cultural heritage, society and economy, energy and resource use and waste management.

2.2 Mitigation to be carried out in accordance with approved details.

2.3 A scheme for Ecological Protection and Enhancement including details of management options and financial contributions towards monitoring, reviewing and repairing.

3.0 AFFORDABLE HOUSING

3.1 40% of the total number of dwellings the subject of the development to be built, fully serviced and made available as affordable housing in perpetuity, with 5% to be provided off-site.

3.2 The type and mix of housing to be agreed as part of the Agreement.

3.3 Distribution and timing/phasing of affordable housing to be dealt with in Agreement.

3.4 The Agreement to deal with the mechanism for constructing and transferring the affordable housing.

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3.5 Mechanisms to ensure that the affordable dwellings remain affordable in perpetuity and are only occupied by qualifying persons.

3.6 Requirement that any housing to be transferred to a RSL is built to Housing Corporation standards.

4.0 EDUCATION

4.1 Provision of two primary schools, (fully serviced) with school sites to be transferred to LEA. Both schools to include nursery. One school to include Educare package and childcare facilities. Size, specification and trigger points to be set out in Agreement.

4.2 A secondary school (fully serviced) to include 6th form education for a minimum of 600 places to be provided or an equivalent contribution made towards a larger secondary school/community college. Trigger points to be agreed with the LEA. Contract to be in place for provision of the Secondary School before occupation of first dwelling.

4.3 Secondary school site to be of sufficient size (such size to be agreed with LEA) to allow for the school's future expansion and to be transferred to LEA, unless otherwise agreed.

4.4 Secondary school to include sports hall and auditorium. The sports hall to be of a size and quality to serve the wider community with community access guaranteed.

4.5 Funding to be provided for secondary school transport and temporary accommodation until the secondary school is completed.

5.0 HIGHWAYS

5.1 The Agreement will define the off-site highway/infrastructure works required as part of the development and ensure they are carried out in accordance with a programme to be agreed with the Local Highway Authority. These works comprise.

a) Construction of the Clyst Honiton bypass and associated improvements to the A30 trunk road at the Airport. These works are to be carried out by Highway Authority under Section 278 of the Highways Act 1980 and funded by the developer. Works on the bypass shall commence before occupation of the first residential dwelling. The bypass shall be completed and open to traffic before the 500th dwelling is occupied.

b) One of the Phase 2 options contained in the Access Strategy (infrastructure required to support Phase 2 of the development 2,200 – 2,900 houses). The Agreement to contain an obligation restricting construction/occupation of in excess of 2,200 dwellings until one of the Phase 2 options is in place or a contribution is paid towards the preferred phase 2 solution.

c) Development shall not begin until development also begins on the bus lane under the M5 and Junction 29 and this bus lane shall be extended to Moor Lane Roundabout. It shall be completed and open to traffic before occupation of the 500th dwelling

d) Appropriate Improvements to be undertaken to Station Road to provide adequate traffic flow measures and a footway at Station Road to assist pedestrians and cyclists between the former A30 and Broadclyst village, all to be provided before occupation of 500th dwelling

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5.2 Contributions to be made by the Developers to:-

- a) Junction 30 Slip Roads and Circulatory improvements
- b) Contribution of £250,000 (by way of bond) for traffic management etc in the event of traffic generation exceeding agreed limits

5.3 There will be an obligation to ensure that the on-site highway works/estate roads are carried out to an agreed phasing programme and to an adoptable standard.

5.4 There will be an obligation to ensure that appropriate Highway Agreements are entered into to secure delivery of the highway works (the terms of such Agreements will also be included)

5.5 Developers to fund the provision of monitoring equipment and data collection for vehicle trip rates to and from the new community for a 5 year period from completion.

5.6 Any necessary Traffic Regulation Order's to be funded by the Developer (to include the cost of introduction and implementation of such orders), to include TRO's for Crannaford Lane and Southbrook Lane north of the railway line to restrict excessive traffic use and for minor improvements within Elbury Lane

6.0 FOOTPATHS/CYCLEWAYS

6.1 Provision to be made for pedestrian and cycleway links within the site.

6.2 Funding of provision and improvement of links to existing cycle and footpath network along old A30 (to include signalised crossings) (at eastern end of new community) to new A30 (existing footpath/cycleway at Blackhorse interchange).

6.3 A segregated cycleway/footway and facilities for dedicated bus movements shall be provided along the former A30 from the western access of the development as far as the eastern access to Skypark, together with safe signalled crossings off Station Road and the former A30 as appropriate, at an occupation level to be agreed.

6.4 A shared cycleway/footway shall be provided along the former A30 to the Hand and Pen and Devon Smithy with appropriate safe crossings of the former A30, before occupation of the 500th dwelling.

6.5 Funding to create links to existing footpath network.

7.0 PUBLIC TRANSPORT

7.1 Provision of a new bus service from the New Community to the east of Exeter generally. Requirements for provision to be set out in the Agreement, to include details of phasing of provision, times of operation, frequency, routing, destinations served, integrating ticketing and quality of bus vehicle and service.

7.2 Payments towards the maintenance of the new bus service to be made for a period to be agreed, such payments to be limited to the difference between the costs of providing the bus service and the revenue generated from it.

7.3 A contribution to be made to public transport service enhancements to attract further trips away from the private car in the event that targets of 0.53 trips per dwelling external to the development in the a.m. peak or the daily 12 hour target of 5.5 trips per dwelling external to the development are exceeded.

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7.4 Bus detection funding to be provided,

7.5 Contribution towards Honiton Road Public Transport Interchange.

8.0 RAILWAY STATION

8.1 Funding of a single platform railway station, with ticket office to enable railway station to become operational in first phase of development.

8.2 Relevant land to be identified and transferred to relevant body.

8.3 Fund design of new station.

9.0 TRAVEL PLANS (TP)

9.1 Developers to enter into a TP regarding the New Community site and to use reasonable endeavours to require the occupiers of the individual business units the subject of the development to enter into TPs. The TPs to cover various matters aimed at promoting sustainable transport. These will include:-

- To conduct a survey by questionnaire of all residents and employees in the development to check that their travel needs are being met, and the obligation to adjust transportation provisions if a significant shortfall is detected.
- To monitor peak hour and daily car travel and to make changes and/or improvements to public transport provision to keep to or below the target trip generation.
- Control of shared off-street parking facilities.
- Car clubs.
- Car share database for the community.
- Intranet site dedicated to travel for the benefit of residents.
- The appointment of a Travel Co-ordinator (funded by development).
- Sharing the above four with adjacent development sites.
- Management Plan for deliveries to commercial premises within the community.
- How the Travel Plan and its provisions would be co-ordinated with other adjacent developments, such as Skypark and the Intermodal Freight Terminal.
- Service Deliveries should be minimised within the main streets of the New Community. Although provision of servicing can be included in the Design Code, the Travel Plan should include the requirement to co-ordinate the concentrate deliveries to a common point, possible accessed off the former A30, from where the loads are broken up to be delivered to individual premises.

10.0 CONSTRUCTION ENVIRONMENTAL & MANAGEMENT PLAN

10.1 The Agreement to contain an obligation that the Developers submit a Construction Environmental and Management Plan for approval to manage the impacts of construction including traffic and ensure minimum impediment is caused to public transport.

10.2 An obligation to ensure construction traffic follow a prescribed route (as agreed with the Local Planning Authority) will also be included.

10.3 The times within which construction traffic can enter and leave the site to also be defined within the Agreement.

11.0 OPEN SPACE

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11.1 Land and equipment for 2 x NEAPS (to include MUGA's), 4 x LEAPS and 1 x Skateboard park to be provided. The equipment specification and area of land required for each to be defined in the Agreement, with phasing and location to be agreed pursuant to reserved matters.

11.2 Developers to pay commuted sum for maintenance of play equipment and open space for a ten year period. Method of adoption/maintenance to be agreed.

12.0 SPORTS PITCHES

12.1 Developers to agree to provide the following sports pitches:- 1 x cricket pitch, 2 x senior soccer pitches, 2 x junior soccer pitches, 1 x senior rugby pitch, 1 x bowling green, 1 x irrigation for bowling green, 4 x tennis courts and trim trail plus maintenance. Specification to be agreed, to include changing and other ancillary facilities, parking provision and all weather requirements. The location of each facility to be agreed pursuant to reserved matters.

12.2 Mechanism for the transfer/maintenance of each pitch to be agreed and included in the Agreement.

13.0 COUNTRY PARK/NATURE RESERVE

13.1 On occupation of 500 dwellings developer to provide a country park/nature reserve, to a standard to be agreed. Creation of the Country Park/Nature Reserve and management and maintenance to be agreed through submission/approval of a management plan.

13.2 Developer to pay for the creation of and the maintenance of Country Park/Nature Reserve for a ten year period.

13.3 Country Park/nature reserve to be transferred to EDDC.

13.4 On occupation of 500 dwellings a Country Park Resource Centre to be provided and transferred. Size and specification to be set out in the Agreement

13.5 Contribution to be made towards the funding of Countryside Ranger for a three year period.

13.6 Funding and implementation of Landscape and Biodiversity Management Plan.

14.0 OFF-SITE LANDSCAPING

14.1 Off-site landscaping/planting to be in accordance with an agreed and adopted Landscape Strategy (including management and maintenance) and the off-site landscaping shall be carried out and maintained in accordance with that Strategy

15.0 ALLOTMENTS

15.1 Land for allotments to be to laid out/provided and transferred to EDDC. The specification to be included in the Agreement

15.2 Timing of provision to be determined in accordance with the phasing provision of public open space.

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16.0 CEMETERY/BURIAL GROUND

16.1 Land for cemetery/burial ground to be laid out/provided and transferred to EDDC. The specification to be included in the Agreement.

17.0 DRAINAGE

17.1 Sustainable Drainage for surface water to be dealt with under a condition. However, If EDDC adopt detention basins/attenuation ponds a commuted sum for their maintenance will be required.

17.2 Developers to provide additional foul drainage capacity sufficient to cater for the development to the satisfaction of the Local Planning Authority in consultation with South West Water.

18.0 FLOOD ALLEVIATION

18.1 Developers to submit details of flood alleviation measures proposed and those to be retained, including ditches. If EDDC adopt flood alleviation measures/land on which such measures are situated a commuted sum for their maintenance will be required.

18.2 The effectiveness of the flood alleviation measures will be monitored by EDDC and the Environment Agency and should consequential flooding occur within Cranbrook or downstream of the development site attributable wholly or in part to Cranbrook within a period of 15 years from the start of work on the development, then additional measures are to be implemented for which the costs of remedial measures relating to Cranbrook, will be required from the developer.

19.0 WASTE STRATEGY

19.1 To submit and have approved a waste strategy which shall co-ordinate the management of construction, operational and residential waste across the site, maximise on site recycling, minimise construction and operational waste requiring disposal off-site. The strategy to include the provision of refuse storage and collection facilities (including waste from residential properties). Such strategy to be in accordance with the mitigation measures outlined in the Environmental Statement.

19.2 Each phase of development to provide facilities in accordance with the Strategy.

20.0 SUSTAINABILITY STRATEGY

20.1 Developers to submit a sustainability strategy to the LPA for approval to include measures

a) ensure sustainable construction materials and construction methods are used, to include all buildings meeting Ecohome standards "very good" and BREEAM standards to achieve a minimum of "very good" status, with the criteria to be specified.

b) to promote sustainability amongst the new community residents.

21.0 PUBLIC CONVENIENCES

21.1 Public conveniences to be provided, on occupation of 1000 dwellings, the number and specification to be set out in the Agreement. To include a commuted sum for maintenance.

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22.0 RECYCLING CENTRE

22.1 Developer to identify land for a civic amenity site and recycling/re-use centre. Specification to be agreed. Transfer to be made to appropriate authority.

23.0 STREET SCENE & PUBLIC REALM WORKS

23.1 Developers to submit a public realm strategy to the LPA for approval to include timing of implementation, street naming, treatment for all public spaces, seating, bollards, lighting columns, means of enclosure, litter bins, dog bins, hoarding strategy, treatment of vacant plots, notice boards.

23.2 On occupation of 500 dwellings a Street Scene Services Depot and building to be provided and transferred to EDDC. The size and specification to be agreed and set out in the Agreement.

23.3 Provision or contributions to be agreed towards street scene provision such as installation of litter bins and dog bins, street names.

24.0 PUBLIC ART

24.1 Sum to be paid by Developers for the provision of public art.

24.2 Contribution towards a public art post to the project design team for a three year period from a date to be agreed with the LPA.

25.0 YOUTH WORKER

25.1 Contribution towards a youth worker, payable on the occupation of 500 units or three years from commencement of the development, whichever is the sooner.

26.0 YOUTH CENTRE

26.1 Facility to be provided, the timing and specification of which is to be agreed.

27.0 ADMINISTRATION/TOWN COUNCIL OFFICE

27.1 Contribution towards setting up of Town Council, Web Site, publication, holding of initial election, notice board. Specification to be agreed and to be provided and transferred

27.2 On occupation of 1500 dwellings provision of town library and public administration/Town Council Office and meeting space. Specification to be agreed and to be provided and transferred.

27.3 A mobile library to be provided prior to provision of permanent library.

27.4 A request for reserves for Cranbrook, in particular for additional town planning staff to cover the extra work to be undertaken, particularly in enforcement.

28.0 POLICE STATION

28.1 On occupation of 1500 dwellings an area of land to be identified (size to be agreed) and to be made available and transferred to relevant authority.

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29.0 AMBULANCE STATION

29.1 On occupation of 1500 dwellings an appropriate area of land to be identified (size to be agreed) and to be made available and transferred to relevant authority.

30.0 HEALTH AND WELLBEING CENTRE

30.1 On occupation of 1500 dwellings an area of land to be identified for a health and wellbeing centre to a specification to be agreed.

30.2 Contribution towards promoting partnership approach to delivering Health & Well-being Centre.

31.0 SOCIAL SERVICES FACILITIES

31.1 On occupation of 1500 dwellings an area of land to be identified for Community Care and Social Services (specification to be agreed).

32.0 PLACE OF WORSHIP

32.1 On occupation of 150 dwellings land for a place of worship to be made available and transferred to relevant authority. House for church worker to be provided, size to be agreed.

33.0 MULTIPURPOSE BUILDING

33.1 Building to be constructed (minimum of 700 sq m) and made available for community use. To be transferred to relevant authority. To be provided on occupation of 150th dwelling.

33.2 Community Development worker to be funded in full from occupation of 150 dwellings for a period of three years.

34.0 SPORTS HALL

34.1 Sports Hall to be built to a specification to be agreed, and transferred to the relevant authority

35.0 TOWN/DISTRICT CENTRE RETAIL FACILITIES

35.1 Neighbourhood Centre Business Plan to be submitted and approved, to cover phasing of retail facilities, marketing requirements, arrangements for servicing and accessing the Neighbourhood Centre [to be defined] and other Neighbourhood Centre Uses.

35.2 Land for A1, A2, A3 and A5 retail units to be made available for sale on commercial terms to secure up to 929 sqm/10,000 sq ft retail floor space and public house in Neighbourhood Centre.

35.3 A minimum of 278.75 sqm/3,000 sq ft of retail units in Neighbourhood Centre to be constructed and made available to let on commercial terms prior to occupation of 300th dwelling.

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The Development of a New Community (cont'd)**

- 35.4 Town Centre Business Plan to be submitted and approved, to cover phasing of retail facilities, marketing requirements, implementation arrangements for servicing and accessing the Town Centre [to be defined] and other town centre uses and shall specifically identify land to be provided for employment with the definition of Class B of the Use Class Orders.
- 35.5 High Street units (44.45 sqm/500 sqm) to be constructed and made available to let on commercial terms for A1, A2, A3 or A5 uses
- 35.6 Land for a maximum of 3,344 sqm/36,000 sq ft gross food store to be provided. Restrictions on the types of goods that can be sold from the store will be included in the Agreement.
- 35.7 Land for other town centre uses (e.g. hotel, pub, retail, restaurant, takeaways, commercial leisure, civic offices) to be made available.
- 35.8 Developers to submit parking strategy for the Town Centre and Neighbourhood Centre and parking to be provided in accordance with that strategy. This shall include number of spaces, distribution, management and tariff structure.

36.0 WATER SUPPLY

- 36.1 Developers to enter into a formal Water Requisition under the terms of the Water Industries Act 1991.

The following declarations of interest were made during the above item:

| Councillor | Application | Type of Interest (action taken) | Nature of Interest |
|-------------------|---------------------------|---|---|
| D G Button | 03/P1900 New Community | Personal (Remained in chamber to speak & vote) | Had previously opposed the principle of a new community but not the current application |
| Mrs R E Burrow | 03/P1900 New Community | Personal (Remained in chamber to speak & vote) | Had previously opposed the principle of a new community but not the current application |
| A J M Drake | 03/P1900 New Community | Personal (Remained in chamber to speak & vote) | Had previously been a member of the Devon County Council Development Control Committee which had examined the application |

***103 Thanks to Planning Service Staff**

The Chairman proposed a vote of thanks to all the planning staff who had worked so hard to ensure that such a major application was being moved forward. He paid particular thanks to Mrs Kate Little, Head of Planning and Countryside Services for her hard work and time put in to bring the matter before the committee.

Chairman Date.....