

TOWN AND COUNTRY PLANNING ACT 1990

GRANT OF CONDITIONAL PLANNING PERMISSION

Applicant:	Grenadier Exmouth Ltd	Application No:	18/0376/MFUL
Address:	Oxygen House Grenadier Road Exeter Business Park Exeter EX2 7FW	Date of Registration:	15 January 2018
Agent:	Bell Cornwell LLP	Date of Decision:	7 June 2018
Address:	Mr L John Sowton Business Centre Capital Court Bittern Road Exeter EX2 7FW		
Proposal:	Construction of new water sports centre including various facilities for water sports users, a cafe, restaurant and retail plus car parking and open space together with associated infrastructure including new stepped and ramped access to the beach and landscaping		
Location:	Car Park Off Queens Drive Exmouth EX8 2AY		

The Council hereby grants permission to carry out the development described in the application and the plans attached thereto subject to the following conditions :

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. The development hereby approved shall be undertaken in accordance with the conclusions and recommendations of the Flood Risk Assessment, prepared by WSP and dated January 2018.

(Reason - In order to ensure that the development does not result in an increased flood risk, and to comply with the provisions of Policy EN21 (River and Coastal Flooding) of the East Devon Local Plan 2013 - 2031, as well as guidance contained within the National Planning Policy Framework.)

4. Foul drainage from the Development (and no other drainage) shall be connected to the public foul or combined sewer.
(Reason - To ensure the discharge of drainage from the Development shall not be prejudicial to the public sewerage system and ensure there are adequate public foul sewerage facilities to receive foul water flows, in order to safeguard the public and environment, and to comply with the provisions of Policy EN22 (Surface Run-off Implications of New Development) of the East Devon Local Plan 2013 - 2031, as well as guidance contained within the National Planning Policy Framework.)
5. Prior to the commencement of the development hereby approved, the following information shall be submitted to, and approved in writing by, the Local Planning Authority:
 - o Details to demonstrate how surface water will be managed for the 1 in 100 year (+40% climate change) event, to demonstrate that no buildings will be flooded during this event.
 - o Details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the surface water drainage management system.
 - o Details of previous ground investigation works undertaken. In particular, report Number PE151195, dated August 2015.
 - o The results of a 6 month programme of ground water monitoring.
The works shall be undertaken in accordance with the agreed details.
(Reason - To ensure that the development does not result in an increased flood risk, to ensure that the use of a soakaway is suitable, and to comply with the provisions of Policy EN22 (Surface Run-off Implications of New Development) of the East Devon Local Plan 2013 - 2031, as well as guidance contained within the National Planning Policy Framework.)
6. Any plant (including ventilation, refrigeration and air conditioning units) or ducting system to be used in pursuance of this permission shall be so installed prior to the first use of the premises and be so retained and operated that the noise generated at the boundary of the nearest neighbouring property shall not exceed Noise Rating Curve 25, as defined in BS8233:2014 Sound Insulation and Noise Reduction for Buildings Code of Practice and the Chartered Institute of Building Services Engineers Environmental Design Guide. Details of the scheme shall be submitted to and approved by the Local Planning Authority prior to the first use of the premises.
(Reason - To protect the amenity of local residents from noise, and to comply with the provisions of Policy EN14 (Control of Pollution) of the East Devon Local Plan 2013 - 2031, as well as guidance contained within the National Planning Policy Framework.)
7. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a scheme shall include details of the following:
 - o The timing of the works

- o The measures to be used during the development in order to minimise environmental impact of the works (considering both potential disturbance and pollution)
- o Any necessary mitigation for protected species
- o Construction methods
- o Any necessary pollution protection methods including : Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements.
- o Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrate they are qualified for the activity they are undertaking
- o Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site. The works shall be carried out in accordance with the approved method statement. (Reason - This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with the National Planning Policy Framework and in accordance with Policies EN4 (Nationally Important Sites - including Sites of Special Scientific Interest) and EN6 (Wildlife Habitats and Features) of the East Devon Local Plan.)

8. That the individual retail units shall remain, in terms of size, as approved and that no internal dividing walls shall be removed to create larger units. (Reason - To ensure that there is no adverse impact on the town centre and to maintain a variety of individual uses in accordance with Policy E9 (Town Centre Vitality and Shopping Areas) of the East Devon Local Plan.)
9. The 64sq m retail unit hereby approved only sell goods associated with seafront and watersports leisure activities unless otherwise agreed in writing by the Local Planning Authority. (Reason - In order to protect the vitality and viability of Exmouth Town Centre in accordance with Policy E9 (Town Centre Vitality and Shopping Areas) of the East Devon Local Plan and the National Planning Policy Framework.)
10. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:
 - (a) the timetable of the works;
 - (b) daily hours of construction;
 - (c) any road closure;
 - (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;
 - (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
 - (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
 - (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the

County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;

- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works; and
- (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- (k) details of wheel washing facilities and obligations
- (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
- (m) Details of the amount and location of construction worker parking.
- (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;

(Reason - To ensure that appropriate procedures are in place for all traffic attracted to the site and so that construction traffic does not unreasonably impact upon its the local highway network or the living conditions of neighbouring dwellings in accordance with Policies TC7 (Adequacy of Road Network and Site Access) and D1 (Design and Local Distinctiveness) of the East Devon Local Plan.)

11. Notwithstanding the details provided no development shall take place until samples of the materials to be used in the construction of the external surfaces of the building(s) and surfaces of the public area hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure that the materials are considered at an early stage and are sympathetic to the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
12. Notwithstanding the operational parameters outlined in Paragraph 3.3.7 of the Ecological Impact Assessment Report dated January 2018 prior to commencement of any part of the development hereby approved, a Landscape Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include (but not be limited to) educational parameters for all users of the water sports centre and users of the section of beach immediately to the south of the water sports centre including users of the new ramp and steps to advise of the importance of the conservation interests of the estuary and the impending tidal conditions. The development shall thereafter be carried out in accordance with the approved details.
(Reason - To provide ecological enhancement and education of users of the site in the interests of ecology and biodiversity in accordance with Policy EN6 (Wildlife Habitats and Features) of the Adopted East Devon Local Plan and the guidance contained within the National Planning Policy Framework.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

South West Water has advised the Local Planning Authority that no development will be permitted within 3 metres of the sewer, and that the ground cover should not be substantially

altered. Should the development encroach on the 3 metre easement, the sewer will need to be diverted at the expense of the applicant. The applicant/agent is advised to contact the Developer Services Planning Team at South West Water to discuss the matter further.

The plans relating to this application are listed below:

3521-PBWC-03-01-DR-A-6110 REV P9	Proposed Floor Plans	12.02.18
3521-PBWC-03-00-DR-A- REV P4	Proposed Floor Plans	12.02.18
3521-PBWC-03-01-DR-A-6111 REV P7	Proposed Floor Plans	12.02.18
3521-PBWC-02-02-DR-A-6112 REV P5	Proposed roof plans	12.02.18
3521-PBWC-03-XX-DR-A-6114 REV P5	Proposed Elevation	12.02.18
3521-PBWC-03-XX-DR-A-6116 REV P2	Proposed Combined Plans	12.02.18
3521-PBWC-03-XX-DR-A-6117 S4 REV P2	Other Plans	12.02.18
3521-PBWC-03-00-DR-A-6001 REV P5 : LOCATION		25.04.18
3521-PBWC-03-00-DR-A-6004 REV P4 : PHASE 1 ROAD DIVERSION		25.04.18
3521-PBWC-02-00-DR-A-6002 REV P4 : EXISTING BLOCK PLAN		25.04.18
3521-PBWC-03-00-DR-A-6003 REV P13 : PROPOSED BLOCK		25.04.18
3521-PBWC-03-XX-DR-A-6120 REV P3 : RAMP+STEP DETAILS		25.04.18
3521-PBWC-03-XX-DR-A-9033 REV P6 : FINAL AERIAL PERSPECTIVE		25.04.18
3521-PBWC-03-XX-DR-A-9032 REV P5 : FINAL PERSPECTIVES		25.04.18
326/01 B : PROPOSED LANDSCAPE SOFTWORK		24.04.18

326/02 B : PROPOSED
LANDSCAPE HARDWORK

24.04.18

326/03 B : LANDSCAPE
SECTIONS

24.04.18

A handwritten signature in black ink, appearing to be 'E. F.', written in a cursive style.

Service Lead - Planning Strategy & Development Management

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS AND THE APPLICANT SHOULD ENSURE THAT ALL NECESSARY APPROVALS FOR THE SAME PROPOSAL AND THE SAME PLANS ARE OBTAINED BEFORE COMMENCING ANY WORK ON THE SITE.

Your attention is drawn to the Council's adopted Code of Practice for the Control of Construction Site Nuisance which is available on the EDDC website. The Code of Practice details the measures that the Council expects all works on construction sites to comply with to avoid excessive nuisance to residents. You should therefore ensure that all contractors on site are provided with a copy of this document and told to comply with it. Failure to comply with the code may lead to action under the Environmental Protection Act 1990 or the Control of Pollution Act 1974.

Please refer to the accompanying notes which form part of this decision notice.