

Application No. 16/00015/MFUL

Agenda Item

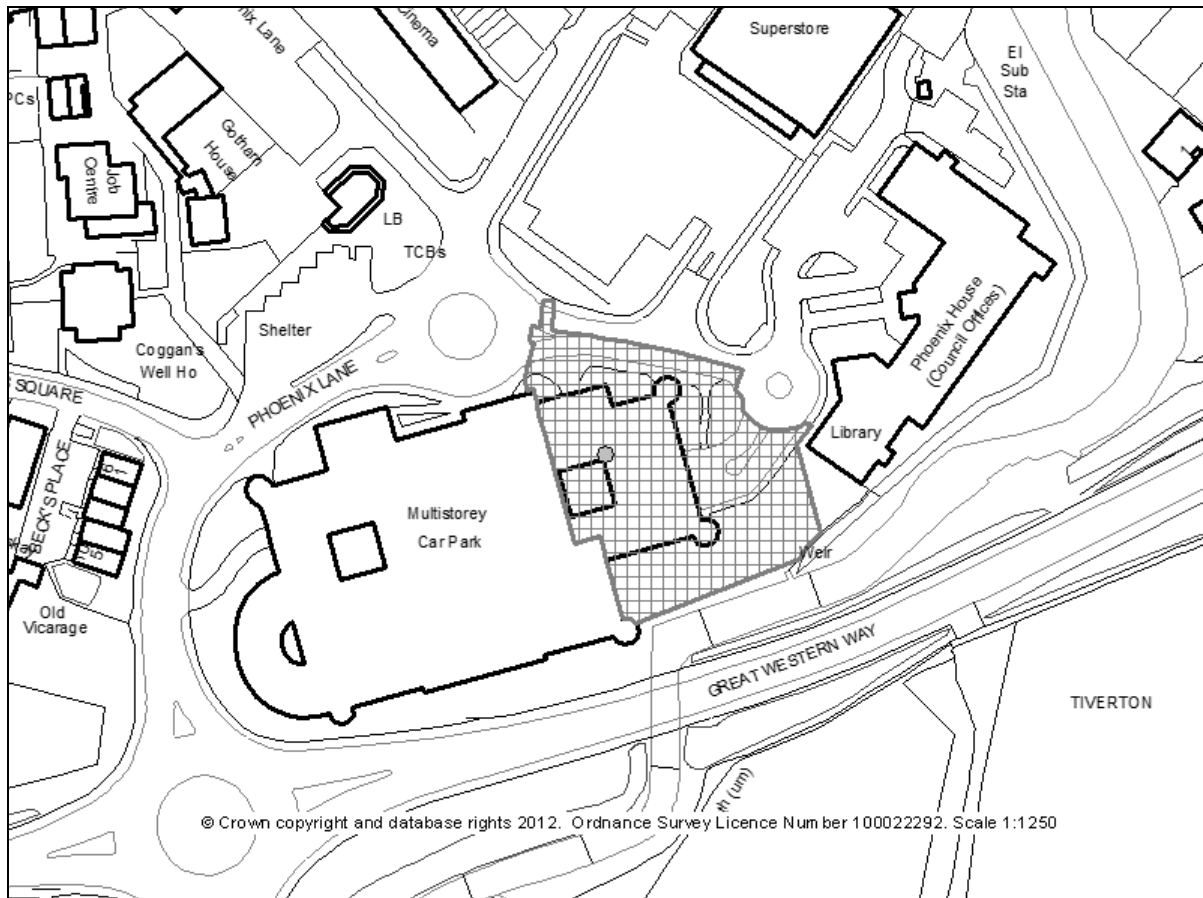
Grid Ref: 112344 : 295588

Applicant: Mr P Smith,
Whitbread Plc

Location: Multi Storey Car Park
Phoenix Lane
Tiverton Devon

Proposal: Erection of an 83
bedroom 'Premier Inn'
hotel and integral
restaurant with
associated access
and landscaping,
including partial
demolition of multi-
storey car park

Date Valid: 4th February 2016



AGENDA ITEM

**PLANNING COMMITTEE
11th May 2016**

REPORT OF THE HEAD OF PLANNING AND REGENERATION

16/00015/MFUL - ERECTION OF AN 83 BEDROOM 'PREMIER INN' HOTEL AND INTEGRAL RESTAURANT WITH ASSOCIATED ACCESS AND LANDSCAPING, INCLUDING PARTIAL DEMOLITION OF MULTI-STOREY CAR PARK - MULTI STOREY CAR PARK PHOENIX LANE TIVERTON DEVON

Reason for Report:

To determine this planning application.

RECOMMENDATION(S)

Grant planning permission subject to conditions and signing of a S106 to secure a financial contribution toward the improvements to the public realm within Tiverton.

Relationship to Corporate Plan:

Managing the environment

Financial Implications:

Should the application be refused and an appeal lodged with the Planning Inspectorate there is a risk of an award of costs against the Local planning Authority if it were found to have behaved unreasonably

Legal Implications:

S106 agreement sought to secure a financial contribution toward improving the public realm in Tiverton Town Centre

Risk Assessment:

None identified

Consultation carried out with:

1. Tiverton Town Council
2. Highway Authority
3. Historic Environment Service
4. Devon and Cornwall Police Authority
5. Environmental Health
6. Lead Local Flood Authority
7. Natural England
8. Economic Development Manager

9. Environment Agency
10. South West Water

1.0 PROPOSED DEVELOPMENT

The planning application seeks permission for the erection of a hotel and an associated restaurant. The development requires the partial demolition of the existing multi storey car park at the southern end of Phoenix Lane, Tiverton.

The application includes the following elements:

- 83 bedroom hotel;
- 76 cover restaurant;
- Relocated and remodelled vehicular entrance to the multi storey car park;
- New pedestrian footpath on west side of Phoenix Lane;
- 4 x under croft disabled parking on the lower ground floor;
- Service and delivery entrance on eastern elevation linking to laundry, services, internal storage and recycling areas;
- Bicycle store;
- External structural wall to car park

The site is located within Tiverton town centre. The primary shopping area of Tiverton is to the north of the application site and within easy walking distance of the proposed hotel and restaurant. The bus station is opposite the site to the north. To the west lies the remainder of the existing multi storey car park. To the east are the Council offices and the M&S Simply Food. To the south lies Great Western Way.

The site is relatively level and is accessible from Phoenix Lane. As the site is opposite the bus station, from which there are regular bus services on multiple routes the development could be well served by public transport links.

The site lies outside, but adjacent to the conservation area. The conservation area boundary is along the section of Phoenix House between the multi-storey car park and the bus station.

2.0 APPLICANTS SUPPORTING INFORMATION

Design and access statement

Heritage Statement

Landscape and Visual Impact Appraisal

Sustainability Statement

Whitbread Environmental Report

Travel Plan

Transport Statement

Flood Risk Assessment

Drainage Strategy Report

Ecological Appraisal

Economic Impact Assessment

Statement of community engagement

3.0 **PLANNING HISTORY**

There is no planning history specific to this site which needs to be taken into account as part of the assessment of this application.

4.0 **DEVELOPMENT PLAN POLICIES**

National Planning Policy Framework (NPPF)

Mid Devon Core Strategy

COR1 – Sustainable Communities

COR6 – Town Centres

COR7 – Previously Developed Land

COR9 - Access

COR11 - Flooding

COR13 - Tiverton

Local Plan Part 3 (Development Management Policies)

DM1 – Presumption in favour of sustainable development

DM2 – High Quality Design

DM3 – Sustainable Design

DM4 – Waste Management

DM6 – Transport and Air Quality

DM7 - Pollution

DM8 - Parking

DM17 – Development outside town centres

DM24 – Tourism and Leisure Development

DM27 – Development affecting heritage assets

5.0 CONSULTATION RESPONSES

1. TIVERTON TOWN COUNCIL - 16th February 2016

Support but would wish for a full ground stability assessment to be made and also assurance that area will not be prone to flooding as on the course of a riverbed that was diverted.

2. HIGHWAY AUTHORITY - 23rd February 2016

The Highway Authority has viewed the application and has no objections in principle to the development. Full details of the access, its alignment both horizontally and vertically will need approval as well as the revised signing and lining for the M&S store entrance. Such design should be accompanied by a stage 2 safety Audit. The access to the hotel is not on Public Highway but within land under the control of the District Council and the above detail is for them to approve, any level changes that affect the Public highway and entrance to the roundabouts will need Highway Authority approval.

The proposed site will reduce the parking by 75 and in addition will occupy up to 66 spaces therefore a loss to the car park of 141 spaces. The applicants survey shows that there is an existing spare capacity of 280 spaces(such spare capacity should be verified by the district parking manager). However the reduction in the spare capacity by the 141 space will still leave spare capacity of 139 spaces. The Local Planning Authority may wish to consider seasonal variations such as Christmas, January Sales etc which the Car Park Manager may be able to assist in any variations to the survey date and its impact on spare capacity.

The applicant has submitted with the application a travel plan, the content of which is acceptable to the Highway Authority and is welcomed. The Highway Authority would advise that the travel plan be appended to any planning legal agreements.

Therefore should consent be granted the following condition is advised.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, MAY WISH TO RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

1. No other part of the development hereby approved shall be commenced until the access, amendments to Multi storey car parking facilities(including re-routing) commercial vehicle loading/unloading area visibility splays turning area and access drainage have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times .

REASON: To ensure that adequate facilities are available for the traffic attracted to the site.

2. 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;
- (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
- (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;

3. Where installed as part of the development, the light source of the proposed floodlighting units should not be directly visible to drivers of vehicles using the public highway.

REASON: To ensure that the floodlighting associated with the proposal / proposed illuminated sign does not result in detriment to the safety of drivers using the public highway.

3. HISTORIC ENVIRONMENT SERVICE - 22nd February 2016

No comments.

4. DEVON & CORNWALL POLICE AUTHORITY - 8th February 2016

I have liaised with the agent and confirmed that the door security to rooms is of an appropriate standard.

There is no licensed bar which addressed some potential concerns.

The Police have no further comments to make.

5. ENVIRONMENTAL HEALTH - 19th February 2016

Contaminated Land - No objections

Air Quality - Electric Vehicle points not mentioned in transport assessment but would be desirable.

Drainage - No objections

Noise & other nuisances - No objections

Licensing - No objections to this application, however all licensable activities including the sale of alcohol and regulated entertainment would require a Premises Licence under the Licensing Act 2003. Please contact the Licensing team at your earliest convenience to discuss this further all application forms are available via the following link <https://new.middevon.gov.uk/business/licensing/alcohol-and-entertainment-licences/premises-licences/Food> Hygiene -

Food Hygiene - no objections to this proposal.

Informative: Applicant must register premises with Environmental Health department at least 28 days prior to opening if food/ drink sold. Recommend sending plans for advice prior to works being carried out. Ensure facilities for storing waste, none detailed on plan.

Health Safety - No objection to this proposal.

Informative: There is a lack of information e.g. structural survey regarding the current car park. There is a foreseeable risk of asbestos being present in these types of structure. A Refurbishment and Demolition Survey following HSG264 available at <http://www.hse.gov.uk/pUbns/priced/hsg264.pdf> should be carried out before work commences to identify precautions and legal requirements enforced by Health and Safety Executive.

Should you wish to receive health & safety advice regarding layout & design please contact Environmental Health prior to work commencing.

6. LEAD LOCAL FLOOD AUTHORITY - 26th February 2016

Devon County Council Flood and Coastal Risk Management Position.

We have no objection to the proposals for the disposal of surface water from this development.

It is noted that that the site is constrained on the amount of available space for surface water management but it should be noted that underground attenuation crates cannot be considered as a truly sustainable means of drainage because they do not provide the required water quality, public amenity and biodiversity benefits, which are some of the underpinning principles of SuDS.

It is recommended that opportunities for additional SuDS features should be explored within the layout such as the use of permeable paving (undrained if necessary), bio-

retention and rain gardens etc. in order for a suitable SuDS management train for the site to be developed.

7. NATURAL ENGLAND - 9th February 2016

No comments.

8. ECONOMIC DEVELOPMENT MANAGER - 21st April 2016

As the Economic Development Officer, I fully support the development of the proposed Premier Inn in Tiverton. There are a number of elements that I believe should be considered when making the final decision.

Local towns and cities with Premier Inns:

Across Devon there are 14 Premier Inns already operating. The mix is as follows:

Barnstaple

Exeter x 4

Exmouth

Honiton

Newton Abbot

Paignton x 2

Plymouth x 3

Torquay

These hotels all have "good" to "extremely good" Trip Advisor reviews, and the chain is a well-respected and popular option for tourists and other visitors. The company is a brand that people often seek out when they are looking for somewhere to stay, as they tend to have a consistent quality to them. Though not the most prestigious brand in the hotel industry, most popular tourist destinations have one (or several), and their desire to set-up in Tiverton should be seen as a positive sign for the town.

Kick-starting the local economy:

The development could kick-start the regeneration of the town centre and would create an opportunity to attract further investment into Tiverton. The proposal would create a number of direct local jobs in a sector that we, as a local authority, are actively trying to promote. It would also create a significant number of indirect jobs within sectors that we wish to encourage. These include the food and drink sector, tourism sector and the retail sector, all of which are critically important to Tiverton, and should be supported and nurtured to encourage the town centre to thrive. Though this may result in some displacement, the impact would be easily absorbed in our local labour market.

Supporting our planned activities:

We host a number of events in Tiverton town centre, with people travelling from across the South West to come to Electric Nights and other festivals. With the majority of our events running into the evening, it is important that we have a strong offer available to people who wish to stay in Tiverton overnight. This creates an additional opportunity, whereby they can come to visit the town for a specific event, stay here for the evening, and then have the opportunity to shop in the town the following morning. The hotel would therefore help to increase dwell time and footfall in the town centre.

Mid Devon Open for Business:

Supporting the project would promote the perception message that the Council is open for business and Mid Devon is a good place for business investment and economic growth. This would be a positive message that could be built by aligning Council strategies and actions with the existing business community and new investors. It is a good sign of a forward thinking local authority to actively support inward investment opportunities. Approving this application would be a very public way to support our business community to grow and growth aspirations for the future economy of the District and being supported through the planning process. This is not to say that we should just accept all investment opportunities, but by working with developers and businesses as they expand, we can help to shape development in a meaningful way that will meet the needs of local communities and investors.

Adding to the mix of services:

The development of a Premier Inn would create a different offer to the existing Tiverton Hotel and the B&Bs that operate in and around the town. It is healthy to have competition in a town and to have a good mix of options for people to choose from when they visit the area. Some visitors prefer the comfort and homely feel of a B&B, and Premier Inns don't tend to attract these clients.

Premier Inns are typically more of a budget hotel than Best Westerns. Looking at a random weekend in the summer, the cost of the nearest Exeter Premier Inn would be £140 for 2 nights, and the Tiverton Hotel would cost £275 for the same 2 nights. It should not be difficult for our existing visitor accommodation services to promote themselves as a different offer and to appeal to a different section of the market.

Capacity of existing offer:

Even if the 2 hotels were considered to be a similar offer, there appears to be a capacity issue. When the search for rooms was undertaken, from the middle of May, the Best Western was unavailable because it was fully booked. The first weekend that could be found that a double room was available was the 24th of June. This means that anyone looking to stay in a hotel in Tiverton from the 13th of May until the 24th of June, would have had to use a B&B or an out of town hotel.

In conclusion:

Whilst it is recognised that there are planning policy concerns about the height of the building, from an economic development perspective, it would be detrimental to the town if the application did not get approved.

9. ENVIRONMENT AGENCY - 24th February 2016

Thank you for your recent consultation regarding the above application.

Environment Agency Position

We have no objection to the proposal as submitted from the point of view of flood risk and we have some advice on the flood risk Sequential Test.

Flood Risk

The site sits within Flood Zones 3 and 2 associated with the River Lowman and is at risk of flooding. Inappropriate development of this area would result in an increase in flood risk given the circumstances present.

We can report that that the form and layout of the proposal is sympathetic to the risks and way flood waters affect the area and that the development will not adversely affect the function of the river system.

We endorse the proposal to produce a 'Flood Plan' to cover the lower ground floor to ensure that this part of the development will be evacuated on issue of a flood warning.

We would recommend that the 'services' on the lower ground floor should be raised as much as is practicable.

Flood Risk Sequential Test - general advice

The application site lies within Flood Zone 3 defined by the Environment Agency Flood Map / Strategic Flood Risk Assessment as having a high probability of flooding. Paragraph 101 of the National Planning Policy Framework requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a 'Sequential Test'.

Your Authority will need to be content that the flood risk Sequential Test has been satisfied in accordance with current Government guidance within the National Planning Policy Framework if you have not done so already. As you will be aware, failure of the Sequential Test is sufficient justification to refuse a planning application.

Please contact me if you have any questions about our response.

10. SOUTH WEST WATER - 26th February 2016 - With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Asset Protection

Please find attached a plan showing the approximate location of the public sewers in the vicinity. Please note that no development will be permitted within the easements as listed below, and ground cover should not be substantially altered.

900mm combined sewer (shown in red line) - 6.5 metre easement from the outside of the barrel of the pipe

375mm surface water sewer (shown in blue dashed line) - 3 metre easement from the outside of the barrel of the pipe

450mm water course (shown in orange dashed line) - please contact the Environment Agency for asset protection advice

225mm private surface water sewer (shown in green dashed line) - please contact owner of the sewer for asset protection advice

Should the development encroach on the specified easements, the sewers will need to be diverted at the expense of the applicant. The applicant/agent is advised to contact the Developer Services Planning Team to discuss the matter further.

Clean Potable Water

South West Water is able to provide clean potable water services from the existing public water main for the above proposal.

Foul Sewerage Services

South West Water advises a Planning Condition to emphasise that: 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.

Surface Water Services

The statutory Water and Sewerage Undertaker supports the Planning Policy Guidance for Flood Risk & Coastal Change statement. To accompany its planning application, the applicant must demonstrate how its proposed development will have separate foul and surface water drainage systems and not be detrimental to existing infrastructure, the public and environment (and that any provisions for protecting infrastructure have been agreed with SWWL as service-provider). The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Discharge into the ground (infiltration); or where not reasonably practicable,

Provide written evidence as to why Infiltration devices, including Soakaways, Swales, Infiltration Basins and Filter Drains do not meet the design standards as specified in either H3 Building Regulation standards for areas less than 100m². Soakaways serving larger areas must meet the design standard specified in BS EN 752-4 (para 3.36) or BRE Digest 365 Soakaway Design.

2. Discharge to a surface waterbody; or where not reasonably practicable,

Provide written evidence for refusal of discharge consent from owner of water body (Environment Agency, Local Authority, Riparian Owner etc)

3. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,

Provide written evidence for refusal of discharge to drainage system (Highway Authority, Environment Agency, Local Authority, Private ownership)

4. Discharge to a combined sewer.(Subject to Sewerage Undertaker carrying out capacity evaluation)

South West Water will carry out a hydraulic capacity review of the combined sewerage network before permission will be granted to discharge to the combined sewer.

Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy. However, should this method be amended, SWWL will require clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

Your LPA will be mindful of Local Plan policy to limit the adverse (including cumulative) effect of proposed development such that sustainability is paramount and flooding risk is not increased elsewhere, together with Paragraphs 162 of the NPPF, and Paragraphs 109 and 120 of PPG (Conserving and enhancing the natural environment).

I trust this clarifies the water and drainage material planning considerations for your LPA, however if you have any questions or queries, please do not hesitate to contact me either via e-mail: developerservicesplanning@southwestwater.co.uk or direct line: 01392 443189.

Please quote reference number AS250216/Phoenix Lane in all communications and correspondence.

6.0 REPRESENTATIONS

10 letters of objection received (including Tiverton Civic Society) – summarised as follows:

- Loss of view of the hills forming Tumbling Fields
- Loss of car parking in the town centre
- Located in the flood plain of River Lowman
- Need for another hotel has not been demonstrated
- Impact on character of Tiverton as loss of view toward green hills to the south
- Hotel would be visible from Deyman's Hill properties and hotel would cause overlooking to nearby properties
- Hotel would be an isolated dominating building
- Hotel is too high and will obstruct the skyline
- Hotel next to Phoenix House will appear as fortress from Great Western Way
- Development will increase demand for water and sewerage

- Loss of open space and landscaping between Phoenix House and the carpark
- Scale of the building is out of line with other buildings in the town
- Overdevelopment of the site – massing is too great and towers over Phoenix House and carpark which was deliberately limited when built
- Detrimental impact on Tiverton Conservation Area
- Hotel design lacks architectural merit and local distinctiveness
- The design symmetry of the multi-storey car park would be lost
- Connection between town and countryside would be lost
- Partial demolition of the carpark would compromise the integrity of the existing building
- Landscape report identifies that for a number of receptors there is likely to be a direct permanent adverse effect from the development.

7.0 MATERIAL CONSIDERATIONS AND OBSERVATIONS

The main considerations in the assessment of this application are:

1. Design
2. Visual impact including impact on heritage assets
3. Economic benefit of development
4. Highways
5. Environmental impact
6. Flooding
7. Surface water drainage and waste water

1. Design

Policy DM2 of the Local Plan Part 3 (Development Management Policies) requires new development to be high quality, based upon and demonstrating a clear understanding of the characteristics of the site, its wider context and surrounding area; efficient and effective use of the site; positive contribution to local character (including heritage assets); creation of safe and accessible places; visually attractive places that are well integrated with surrounding buildings, streets and landscapes, and do not have an unacceptably adverse effect on privacy or amenity of neighbouring properties and uses taking account of architecture, siting, layout, massing, orientation, fenestration, materials, landscaping and green infrastructure.

The proposed hotel has a contemporary appearance. It is 6 storeys high with service and delivery facilities plus some undercroft parking on the lower ground floor and accommodation and public facilities on the 5 upper floors. It adjoins the eastern side of the retained multi storey car park (that has a brick facade with slate canopies on the top storey) as well as wrapping around part of the southern area of the car park.

The scale, massing and materials of the hotel and restaurant development are stated to have been chosen to be appropriate to the site and the context of development in the surrounding area. The mass of the building is considered to be acceptable and the 'L' shape footprint helps to reduce the overall bulk of the development and allows it to sit comfortably between the multi storey car park and the MDDC offices. The shape and location of the building prevents it from encroaching on the space to the front of and approach to the MDDC offices. It sits back in the site and provides an opportunity for two active frontages to be created on the inner elevations of the 'L' shaped building as well as some opportunity for soft landscaping to soften the proposal.

The mass of the proposal is reduced through a narrowing in the depth of the northern and eastern ends of the building as well as through regular forward projections in the building

lines. This adds interest and movement to the main facades of the building. While the southern elevation of the hotel has a similar design treatment to the east elevation, the west facing elevation of the hotel is bland and lacks interest. This elevation adjoins the retained car park. There are a very limited number of openings in this elevation as the hotel bedrooms have been designed to face east and south, however, the lack of windows results in this elevation appearing rather stark and bare. However, there are very limited view points from where this elevation will be visible and the upper storey that may be more visible in the local environment does contain more openings.

The hotel design results in it being considerably higher than the existing car park. The highest part of the hotel would be approximately twice as high as the existing brick walls of the multi storey car park. The height of the proposal in relation to the car park is of concern and detracts from the overall attractiveness and suitability of the design. The design would be improved by a reduction in height. The height is partially as high as it is due to the necessity to elevate the floor level of the hotel accommodation and facilities above flood risk level. The applicant has been asked if the number of bedrooms in the hotel could be reduced to enable the overall height of the building to be reduced. The applicant has indicated that in order to make the development viable it is necessary to retain the 83 bedroom format of the hotel. The height of the hotel will change the roovescape of the surrounding area, stretching considerably higher than the car park but also higher than the MDDC offices to the east. The height will change the views out of Tiverton to the surrounding green hills particularly when viewed from the town centre along Phoenix Lane.

Existing landscaping to the east and south of the car park will be lost as a result of the development. While a majority of this is low level landscaping it does assist in softening the engineered appearance of the car park. Where replacement landscaping can be provided then this should be implemented to improve the overall relationship of the development with the street scene at pedestrian level.

An undercroft area is proposed on the eastern side of the development to allow for flood waters to pass through should a significant flood event occur. This results in the hotel reception and restaurant being at first floor, accessed via a customer lift at the undercroft/lower ground floor level. While this arrangement is considered to be acceptable it is important that the material finishes to the undercroft area are carefully considered to ensure that this open, columned service/delivery area is not unattractive nor detracts from the overall appearance of the development. The undercroft area will be visible by pedestrians both accessing the hotel and restaurant but also visible to people accessing the MDDC offices, M&S, car park, residential properties to the east. Opportunities to improve the external appearance of this area and provide landscaped screening where possible should be sought. A landscaping condition and a materials sample condition have been suggested that would help to control these elements of the development.

The external appearance of the development, including style and size of fenestration, curved brick walls, overhanging eaves, rendered panels and decreasing size of upper storeys share similarities with the external appearance of the MDDC offices to the east and the retained car park to the west. This approach to the appearance of the building is considered to result in proposal that will be able to complement the appearance of the MDDC offices.

While acknowledging the height of the hotel in its context is considered to be excessive and the design of the development would be improved if the building could sit lower on the site, the location, orientation, footprint, external appearance and mass are considered to be acceptable and result in a coherent design overall that would in part (due to the concerns regarding the height) have support from policy DM2 LP3 (Development Management Policies).

2. Visual impact including impact on heritage assets

The proposed hotel and restaurant will be visible from a number of view points in the surrounding area. The application was supported by a landscape and visual impact assessment (LVIA) and a heritage statement. Together these documents explore how visible and intrusive the proposed development would be taking into account the context of the surrounding area.

The LVIA states that the proposal will be visible within the immediate townscape of Phoenix Lane, St George's Way and Great Western Way with a vista from Fore Street. Views are also possible from nearby agricultural fields to the south, leading toward Cranmore Castle (scheduled monument). It concludes that some moderate and moderate to minor adverse effects to some receptors will remain following the implementation of the scheme. These receptors are properties with southerly views on Gold Street/Fore Street, properties on Great Western Way and in Little Silver, Phoenix House, Deyman's Hill House and bungalow. With regards to views from surrounding countryside it is stated that there will be a negligible to no effect on these views as the development will be read in conjunction with the existing Tiverton townscape.

The site visit identified that the key public views toward the development are from the north in Phoenix Lane, from the east in front of the MDDC offices and from the south on Great Western Way. While the development will be an obvious change to views from Great Western Way and to the front of the MDDC offices it is considered that the perception of the height of the development will not be so great from these view points as they are at a similar ground level to the hotel. However, the application site is very close to the Conservation Area although it is not within it. There is a visual relationship between the site and the Conservation Area and listed buildings within it. There is a clear view toward the development from Phoenix Lane from within the Conservation Area and from close proximity to listed buildings. The view from Phoenix Lane is considered to form part of the setting of the town and the conservation area. This view would be interrupted as a result of the proposed development. The Conservation Officer has commented that as a result of the height of the development (which has been indicated on plans, in CGI models and a photomontage) the overall impact of the development would be harmful to the setting of the conservation area. The conservation area is a heritage asset and once lost cannot be replaced. As such heritage assets are an irreplaceable resource. Although the Conservation Officer has concluded that the harm to the conservation area would amount to 'less than substantial' harm, it is harm that cannot be easily mitigated as it is a result of the height and design of the building. The harm should be given weight in coming to a decision on the application.

The conservation officer views are reinforced by the heritage statement submitted with the application which states:

'From outside the conservation area looking in, it is the proposed upper floors, including the roof level plant, which would be prominent in views of the town from the southern hillside, visible through the canopies of trees sited along Great Western Way. The proposed building would be a prominent new element at the southern extent of the town with the height and massing out of keeping with the prevailing character or appearance of the conservation area....accordingly, the proposed development would have a harmful impact on the significance of the conservation area as a whole, due to its uncharacteristic height and massing, and the associated impact on number of views out of the conservation area to the surrounding rural context and its prominence in views from the south into and over the conservation area'.

From Phoenix Lane the height of the proposed hotel development can be appreciated in context more easily than from lower view points. From this location the existing car park appears as a horizontal line in the roofscape that does not prevent views out of the town toward the surrounding green hills to the south. The proposed hotel, with a maximum height of twice that of the existing brick walls, will be an obvious addition to the visual environment of the area and of the car park and would partially prevent views toward the fields on the hills to the south. However, the most significant (and harmful) changes are limited to an 'offset' section of a wider panoramic view. The MDDC owned trees to the north east of the application site will help to soften the appearance of the development within the street scene of the southern part of Phoenix Lane.

The Conservation Officer has recommended that the proposal be refused based on the harm to the setting of the conservation area. This relates to impact upon heritage assets. Policy DM27 states that where a development proposal would lead to less than substantial harm, that harm will be weighed against any public benefit, including securing optimum viable use. The economic (and social) benefits of the development are detailed in the section below. Although the height of the hotel is considered to be an unfortunate and harmful element of the overall design, which could be improved through a reduction in height and scale. This has not proved possible due to the design needing to retain flood flows through the undercroft area and need to retain a minimum bedroom number in order for the scheme to go ahead. The extent of change to this key view from the Conservation Area (as assessed from a site visit and the photo montage of this particular view) is negative, but in part offset from the wider panoramic view down Phoenix Lane from the south. The impact on visual amenity, while acknowledged is, on balance, considered to be acceptable.

3. Economic benefit of development

The applicants have supplied an economic impact statement in support of their application for the 83 bedroom hotel and a separate 76 cover restaurant. The purpose of the report is to consider the quantifiable impacts of the proposed development during construction and through its operational lifetime.

The NPPF requires that planning should: *“proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth” (para 17, NPPF).*

This is reinforced by policies COR1, COR6 and COR13 (Mid Devon Core Strategy) which state that the Council will guide high quality development and other investment to manage the town centre so that economic success and heritage reinforce each other, promoting new homes, shops, leisure, offices and other key town centre uses which contribute to vitality and viability; and manage growth so that development meets sustainability objectives, brings positive benefits, supports the diverse needs of communities and provides vibrant, safe, healthy and inclusive places where existing and future residents want to live and work. Criterion (b) of policy COR1 encourages provision of jobs and support of new enterprises to bring economic prosperity and self sufficiency for the district and its settlements.

Policy DM24 LP3 (Development Management Policies) provides specific support for new tourism and leisure facilities within settlements such as the proposed hotel. The policy supporting text indicates that tourism plays an important role in generating income but identifies that this sector is less developed than in other parts of the county. Tourism development is generally welcomed as it provides employment. It is specifically encouraged

in settlements where there are local shops and facilities that are accessible and are likely to benefit.

The Council is also commissioning a town centre enhancement and regeneration focussed masterplan for Tiverton. This also acts to demonstrate a broader strategic direction that this application will contribute towards.

The economic impact statement concludes that the proposed development would contribute towards local and wider employment generation, as well as economic productivity while reflecting the development aspirations of the NPPF as well as local planning policies. The economic benefits of the proposal are split down into benefits during the construction phase and benefits during the operational lifetime of the hotel and restaurant.

Economic benefits during construction

- 80 direct, temporary, fulltime equivalent (FTE) jobs – 12 month construction period;
- 78 direct net additional FTE jobs – across South west, 42 estimated to be Mid Devon employees;
- Additional 39 FTE indirect jobs – generated from supply chain and from onward expenditure within the economy (10 of which estimated to be local to Mid Devon);
- Additional £7.9 million uplift in productivity to South West economy – measured in GVA (Gross Value Added) - £3.7 million estimated to be contributed to Mid Devon economy

As the construction industry makes a significant contribution to Mid Devon and wider South West economy, with 9.3% Mid Devon residents working within construction.

Economic benefits during operational lifetime

- 34 direct FTE jobs – 24 FTE jobs estimated to be within Mid Devon;
- 17 indirect FTE jobs – 6 FTE jobs estimated to be within Mid Devon;
- £2 million annual contribution to productivity (GVA) within South West economy, £1.1 million of which estimated to be concentrated in Mid Devon economy;
- £1.3 million uplift in visitor expenditure annually;
- 25 net additional FTE leisure and tourism related jobs supported annually as a result of visitor expenditure;
- £79,000 business rates revenue per annum of which £39,500 could be retained by MDDC;
- £1.4 million GVA supported annually as a result of visitor expenditure

The Economic Development Officer has supported the proposal and commented that the proposals could kick start the regeneration of Tiverton town centre and attract further investment into the town. The additional direct and indirect jobs that would be created are welcomed. These jobs would be in the food and drink sector, tourism sector and retail sector, all of which are considered to be critically important to Tiverton and would assist in encouraging Tiverton town centre to thrive. The Economic Development Officer has considered potential job displacement and has stated that this is likely to be able to be absorbed in the local labour market. In addition to this, the hotel would support planned activities within Tiverton such as Electric Nights and festival type events which in turn could increase dwell time in Tiverton and encourage further expenditure.

A few of the objections received have suggested that there is no proven need for a hotel in Tiverton and that the existing accommodation businesses would face competition from the proposed hotel. MDDC Economic Development Officer has highlighted that the proposed hotel represents a different offer to the existing Tiverton Hotel and B&B's in the town. The competition is considered healthy as well as providing a mix of options for visitors. The different accommodation offers within Tiverton should appeal to different sections of the market.

There are considered to be a number of economic benefits to Tiverton and Mid Devon as a result of the proposed hotel and restaurant development. These economic benefits have been clearly identified and quantified in the supporting documentation and supported by the Economic Development Officer. With regard to economic and social benefits (through local employment provision etc) the proposed development is in accordance with policies COR1, COR6 and COR13 Mid Devon Core Strategy, policy DM24 LP3 (Development Management Policies) and the NPPF.

While the proposed development would bring economic benefits to Tiverton Town Centre, these benefits should be maximised wherever possible. While being able to accommodate visitors close to the town centre is important, it is also important that visitors can easily navigate their way through the town and appreciate the rural and historic market town character of Tiverton, enhancing their experience of the local area. Regeneration of the town centre is encouraged and is being actively promoted by Mid Devon District Council in their town centre regeneration programme which is to include a masterplan. In order to achieve additional dwell time in the town and assist with the regeneration it is considered that improvements are required to the public realm such as new and comprehensive signage, signposting the town centre and key features of interest and tourism related activities such as the Tiverton Museum, Merchant's Trail. Improvements could also be achieved to the appearance of the public realm by removing clutter, improving and rationalising seating and providing landscaping opportunities. The Local Planning Authority consider that the proposed development should be encouraged to contribute toward the enhancement of the public realm, and primarily Phoenix House between the development site and the area of the town, and help to promote the town to visitors and ensure the economic benefits described are achieved in accordance with the aspirations of policies COR1 and COR13 Mid Devon Core Strategy and policy DM17 LP3 (Development Management Policies). The applicants have been requested to enter into a Section 106 agreement with Mid Devon District Council to provide a financial contribution to improvements to the public realm of Tiverton town centre. Discussions regarding this Section 106 agreement are ongoing.

4. Highways and loss of parking spaces

The Highways Authority has raised no objection to the development. They have recommended conditions be imposed to ensure that certain parking facilities are provided

following the partial demolition and amendments to the multi storey car park and that during construction that traffic to and from the site is carefully controlled.

A Transport Statement and a Travel plan were submitted with the application. These documents are required by Policy DM6 Local Plan Part 3 (Development Management Policies) where a development is likely to give rise to significant levels of vehicular movement. The transport statement considers the car parking arrangements, including existing and anticipated demand, trip generation, delivery arrangements and the potential for accessing the development by alternative modes of travel. These documents conclude that the site is located where there is good access to public transport services and easy pedestrian and cycle access. Bicycle storage is included within the design of the hotel. There are alternative travel options for guests when making their journeys during their stay at the hotel, as well as for staff trips to and from the site. A range of services and facilities are located within a short walking distance of the hotel which would help to encourage sustainable travel choices.

The level of traffic calculated to be generated from the development is not considered to represent a significant impact on the highway network and that any traffic that is generated to and from the hotel is unlikely to be attributable to the hotel itself. It is considered more likely that people staying in the hotel would have been visiting the area on a business or leisure trip rather than the hotel generating additional traffic. The report states that the hotel would generate approximately 25 two-way vehicle movements over the morning (AM) peak hour and a total of 215 two-way movements over the course of a typical weekday.

The plans indicate that it is proposed to relocate the entrance to the multi storey carpark to the north elevation (elevation opposite the bus station). The existing entrance on the eastern side of the carpark will be closed (with this area becoming an undercroft of the hotel and used for a remodelled hotel services access, 4 disabled parking spaces and bicycle storage area). In order to access the car park vehicles will have to turn right at the roundabout immediate south of the bus station/start of pedestrianised area of Phoenix Lane and proceed to the mini roundabout at the bottom of Phoenix Lane. At this point vehicles would have to perform a U turn and then turn left into the car park entrance. A central island would be installed in Phoenix Lane to prevent right-turn movements into the car park entrance. This would allow for enhanced pedestrian crossing between the multi storey car park and the town centre. There are no proposed changes to the exit from the car park.

The current eastern access to the car park provides access to the lowest level of parking in the car park. The proposed changes to the entrance to the northern elevation would result in vehicles entering the car park at a higher level. A new internal ramp would be located within the existing light well in the car park to provide access to the lower storey of parking. Additionally, alterations would be made to the car park layout to allow for improved circulation and provide access between floors.

Pedestrian access to the hotel would be from the eastern frontage of the building with a lift required to take visitors to the hotel reception and restaurant on the first floor. Continuous footways are to be provided to the entrance and would link in with the existing footway provision in Phoenix Lane.

The transport statement also includes details of the number of trips associated with deliveries and servicing the hotel and restaurant. The report indicates that the development would generate an average of 2 trips per day and these would be by a 26t, 12m rigid lorry. The proposed service delivery area to the east of the hotel would be able to accommodate these vehicles and allow all vehicles to enter and leave in a forward gear.

Policy COR1 (e), policy COR6 (d) and policy COR9 Mid Devon Core Strategy require accessible forms of development that are integrated with public transport and other sustainable modes of travel and would allow for ease of movement and provide a safe environment. The access elements of the proposed development have been carefully considered and it is considered that the development has demonstrated it is in accordance with the policies above and policy DM6 Local Plan Part 3 (Development Management Policies).

Policy DM8 requires development to provide an appropriate level of parking taking in to account the accessibility of the site, including the availability of public transport and the type, mix and use of development. The policy also requires that in Tiverton, infrastructure for electric car charging should be built into development. The proposal does not currently include any electric car charging facilities and this has been reported to the Agent. The Agent has been asked to provide justification of lack of provision of electric car charging facility and further information will be provided as an update to this report. With regards to parking provision, the customers of the hotel would be encouraged to park in the adjoining pay and display multi storey car park. The 83 bedroom hotel would require 83 spaces to be in accordance with policy DM8. This is considered to be an acceptable solution into parking for the hotel, particularly when taking into account the sustainable location within easy walking distance of Tiverton Town Centre and public transport from the adjacent bus station.

The development requires the partial demolition of the eastern part of the multi storey car park. The car park currently has 640 spaces. The partial demolition of the car park would result in a loss of 75 spaces. When added to the number of spaces required for the hotel use (83), this results in a decrease of 158 spaces available for public parking. The use survey submitted with the application states that there is an existing spare capacity of 280 spaces. The reduction of 158 spaces available to the public would result in a spare capacity of 122 spaces. While there could be some seasonal variation with regards to capacity within the multi storey car park, it is considered to generally have capacity to accommodate the parking associated with the hotel and the partial demolition proposed. The proposed development should not result in an increased pressure on car parking within the town centre and parking is able to be accommodated for the hotel in accordance with policy DM8.

The proposed access arrangements are considered to be suitable and would not impact detrimentally on highway safety or capacity. With regards to impact on the highway network, access to the development and multi storey car park, pedestrian access and retained provision of parking with the multi storey car park, the proposal is considered to be in accordance with the NPPF and policies DM6 and DM8 Local Plan Part 3 (Development Management Policies).

5. Environmental impact

Environmental Health have not raised any objections to the development. It is not considered that the development of the hotel and associated restaurant would have any adverse impacts on the surrounding environment (after the construction period) through noise, odour, light, air, water or land pollution and the development is therefore in accordance with policy DM7 Local Plan Part 3 (Development Management Policies). However, it has been stated that the multi storey car park could contain asbestos. The partial demolition of the car park could therefore expose asbestos which would need to be disposed of in accordance with the legal requirements enforced by the Health and Safety Executive. It is recommended that a refurbishment and demolition survey is carried out before the commencement of works to identify precautions and legal requirements. This is not included as a planning condition as it is a legal requirement to treat and dispose of asbestos in accordance with the law.

6. Flooding

The application site is in Flood Zone 3a and it has been affected in the past by fluvial flooding associated with River Lowman.

The NPPF classifies the proposed development use as a hotel as “more vulnerable” development, which is acceptable in Flood Zone 3a if the exception test is passed. The results of an exception test are included below. Policy COR11 states that flooding will be managed to reduce the risk of flooding to life and property where possible; guide development to sustainable locations with the lowest risk of flooding by applying a sequential test, and locate appropriate development in areas of higher flood risk only where the benefits outweigh the risk of flooding and ensure that development does not increase the risk of flooding of properties elsewhere.

For an exception test to be passed the NPPF advises that it must be demonstrated that the development will meet the following requirements:

- a) The development provides wider sustainability benefits to the community that outweigh flood risk;
- b) A flood risk assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

With regards to part (a) of an Exception Test, it must be considered if the development has been guided to an available site with the lowest risk of flooding. This is explored through a sequential test. The Sequential Test is a risk based tool. Its aim is to steer new development to areas with the lowest probability of flooding – Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1 decision makers should consider development in higher probability Flood Zones, with regards to the flood risk vulnerability of the proposed development. The application site is situated in Flood Zone 3 and the proposed development of the hotel is classed as more vulnerable under Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance (PPG). The Council have considered whether there are other available sites within Tiverton town centre or on the edge of the town centre that could accommodate a hotel of this size. No alternative sites that are within a similar distance to the town centre, able to provide the same level of accommodation, that have a lower risk of flooding or that have the same sustainability credentials as the proposed site have been identified. In addition to this the planning application supporting evidence has identified the economic and social benefits of the proposed development. These economic and social benefits added to ability to make the development “safe” without increasing flood risk elsewhere is considered to be sufficient to conclude that the Exception Test has been passed in accordance with the NPPF and the Planning Practice Guidance.

Flood modelling has indicated that the site would not be affected by a 1 in 100 flood event but would be affected in extreme conditions by an overland flood route upstream, which passes between the Mid Devon District Council Offices and retail premises to the north east. The depth of flood water passing through the site would be between 0.6m and 0.8m in a 1 in 100 event, increasing to between 0.8m and 1.5m for a 1 in 1000 event.

To ensure the development would be safe and to ensure no increase in fluvial flood risk to the site and or neighbouring sites as a result of the development the following measures have been proposed:

- Void at lower ground level used to provide undercroft parking, would allow flood waters to pass uninterrupted under the building;
- Any lower ground floor development is contained within the footprint of the existing multi storey car park ensuring no displacement of flood flows (when compared to existing situation);
- No raising of ground levels within the application site;
- More vulnerable* functions within the development are not on the lower ground floor and therefore raised substantially above flood levels;
- Flood measures to be incorporated in to the design at lower ground floor level where these areas have potential to be affected by flooding;
- Flood plan proposed to ensure lower ground floor area is evacuated if a flood warning is received from the EA;
- Safe access/egress route to land outside the floodplain will be available from the upper ground floor/first floor level;
- Sewers that run beneath the multi storey car park are to be diverted.

As a result of implementing the flood management measures detailed in the flood risk assessment and listed above, it is considered that the development can be occupied and operated safely with there being no increase in the level of flood risk to the site or neighbouring sites. This conclusion is shared by the Environment Agency who have commented that the form and layout of the proposal is sympathetic to the risks and way flood waters affect the area and the development will not adversely affect the function of the river system.

As the development has passed the Exception test and has been determined to be safe without increasing the risk of flooding of properties elsewhere the development is considered to be in accordance with policies COR11 and COR13 (h) (Mid Devon Core Strategy) and acceptable in terms of flood risk.

7. Surface water drainage and waste water

The Lead Local Flood Authority (Devon County Council Flood and Coastal Risk Management Team) have not raised any objection to the proposed development. they note that there is limited space for surface water management and they note that underground attenuation crates cannot be considered a truly sustainable means of drainage as they do not provide water quality benefits, public amenity or biodiversity benefits that underpin the principles of SuDS.

Policy DM2 (f) requires development to demonstrate appropriate drainage including sustainable drainage systems and connection of foul drainage to a mains sewer. The surface water runoff from the development is proposed to be discharged to the River Lowman to the south. In order to do so it is necessary to control and attenuate excess

volumes of surface water runoff. Surface water runoff will be stored in a below ground geocellular storage tank storage tank for gradual release. The discharge to the River Lowman will be via an existing outfall which is fitted with a non-return flap valve to prevent river flows from entering the surface water drainage system when at high levels. The surface water strategy is acceptable and considered to be in accordance with policy DM2 (f).

The development would be connected to a mains sewer in line with the requirements of policy DM2 (f).

8. Ecology

An ecological appraisal was submitted with the application. It concluded that the site was of low ecological value. As there is some ornamental planting and scattered trees on the site there is some potential for these to support nesting birds. The report makes recommendations regarding the timing of works to remove his vegetation and landscaping. In addition to this a small number of cotoneaster pants were identified within the existing landscaping. This is currently considered to be an invasive species under the relevant legislation and recommendations are made to minimise the risk of spreading the species. The report concludes with recommendations to improve the biodiversity value of the site including the planting of native shrubs and providing nesting opportunities for birds.

9. Planning balance and summary

The assessment of the planning application has identified that the visual impact of the development will result in some harm to the visual amenity and appearance of the area surrounding the development including the character, appearance and setting of the conservation area together with its significance. This harm, although considered to be less than substantial harm to the conservation area, is undesirable and the merits of the proposal would be improved if this harm was reduced. In this respect there is some conflict with Policies DM2, DM24 and DM27. However, having considered the economic benefits to Tiverton and Mid Devon as a result of the development (as detailed in the material considerations discussion) it is concluded that the economic benefits outweigh the harm that would be created. In balancing the material considerations that have been taken into account in assessment of the application it is noted that the development is in a sustainable location, it will not increase flood risk to the site or surrounding buildings, surface water run off can be adequately controlled, there are no harmful environmental impacts, there are no ecological impacts, and satisfactory access arrangements can be achieved. As a result it is concluded that the development represents an opportunity for sustainable economic growth and job creation in Mid Devon. Having weighed the impacts of the development against its benefits, it is on balance considered that planning permission should be granted. The proposal is considered to be in accordance with Policies COR1, COR6, COR7, COR9, COR11 and COR13 Mid Devon Core Strategy (Local Plan Part 1), Policies DM1, DM2 (part), DM3, DM4, DM6, DM7, DM8, DM17, DM24 (part) and DM27 (part) of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework..

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

3. No other part of the development hereby approved shall be commenced until access amendments to the multi storey car parking facilities including commercial vehicle loading/unloading area, visibility splays, turning area and access drainage have been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. Once provided these car parking facilities shall be permanently retained and maintained for that purpose at all times.
4. Prior to the commencement of the construction of the building hereby approved samples of the materials to be used for all the external surfaces and finishes of the building(s), including the external surface of the undercroft pillars and walls, shall be submitted to and approved in writing by the Local Planning Authority. The approved materials and finishes shall be so used and retained.
5. Prior to their installation, working details of the new external doors/door frames/windows, including sections, mouldings and profiles, finishes and glazing shall be submitted to, and approved in writing by, the Local Planning Authority. Installation of the doors/doorframes/windows shall be in accordance with these approved details, and be so retained.
6. The external doors, door frames and windows hereby approved shall be recessed into the walls in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved doors and windows shall be installed in accordance with the approved details and be so retained.
7. A management plan, setting out the long term management responsibilities and maintenance schedules for the Sustainable Urban Drainage Systems (SUDS) including pipes, detention areas, and associated flow control devices, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the hotel first coming into use. The SUDS approved shall thereafter be managed and maintained in accordance with the agreed details.
8. No development shall be commenced until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Management Plan at all times during the construction phase of the development. The management plan will include the following details:
 - (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;
 - (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
 - (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work.
9. The light source of any floodlighting installed as part of the development shall not be directly visible to drivers of vehicles using the public highway. Details of external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to their first installation.
10. Prior to the commencement of development, a planting and planting management plan for the north east boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. Such plan shall include details of any additional planting together with management measures for planning along the north east boundary of the site. Any additional planting specified in the approved plan shall be carried out in the first planting season following the commencement of the development and be retained. Any trees or plants which within a period of five years from the first use of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Planting and management of planting shall be carried out in accordance with the approved plan.
11. Prior to the first use or occupation of the hotel and restaurant hereby approved, a flood plan detailing the evacuation procedure from the building during a flood event, shall be submitted to and approved in writing by the Local Planning Authority. The approved flood plan shall be adhered to during a flood event that affects the hotel/restaurant building.
12. The Travel Plan submitted with the application and hereby approved shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

REASONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure that adequate facilities are available for the traffic attracted to the site.
4. To ensure the use of materials appropriate to the development in order to safeguard the visual amenities of the area and the setting and views out of the conservation area in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2, Local Plan Part 3: (Development Management Policies) DM2 and DM27 and the National Planning Policy Framework.
5. To ensure the use of materials appropriate to the development in order to safeguard the external appearance of the development and the visual amenities of the area in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and Local Plan Part 3: (Development Management Policies) DM2 and DM27 and the National Planning Policy Framework.
6. To ensure detailing appropriate to the development in order to safeguard the external appearance of the hotel and restaurant and the visual amenities of the area in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and Local Plan Part 3: (Development Management Policies) DM2 and DM27 and the National Planning Policy Framework.
7. To ensure appropriate measures are taken to manage surface water in accordance with Policies DM2, DM7 and DM22 of the Mid Devon Local Plan Part 3 (Development Management Policies).
8. To ensure an appropriate access to and from the site for use by heavy goods vehicles, in accordance with Policies COR9 of the Mid Devon Core Strategy (Local Plan Part 1), DM6 and DM22 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.
9. To ensure that the floodlighting associated with the development does not result in detriment to the safety of drivers using the public highway in accordance with the

National Planning Policy Framework and to safeguard the visual amenities of the area.

10. To safeguard the amenities of the local area in accordance with Policy DM2 of the Local Plan Part 3 (Development Management Policies).

11. To ensure the safe access and egress from the development should a flood warning be issued by the Environment Agency in accordance with Policy COR11 of the Mid Devon Core Strategy (Local Plan Part 1).

12. In order to deliver sustainable transport objectives including single occupancy car journeys, and the increased use of public transport, walking and cycling, in accordance with Policy COR9 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM6 of the Local Plan Part 3 (Development Management Policies).

Contact for any more information

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Background Papers

None relevant

File Reference

16/00015/MFUL

Circulation of the Report

Cllrs Richard Chesterton
Members of Planning Committee