PTE/16/23

Development Management Committee 27 April 2016

County Council Development:

Exeter City: New two form entry primary school and nursery on a 1.8 hectare site within proposed residential and community development at Seabrook Orchards,

Topsham Road, Exeter, Devon Applicant: Devon County Council Application No: 16/0256/25

Date application received by Devon County Council: 22 February 2016

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that permission be granted subject to the conditions set out in Appendix II to this report (with any subsequent changes to the conditions being agreed in consultation with the Chairman and Local Member).

1. Summary

- 1.1 This report relates to a planning application for a new 420 place primary school and nursery and includes school buildings, sports pitch, hard outdoor games area, associated planting, parking and access arrangements.
- 1.2 It is considered that the main material planning considerations in the determination of this application are traffic and transportation issues; disruption during construction; the design and layout of the school; potential flooding issues; sustainability considerations; impact on residential amenity; and consideration of the proposed development against planning policy.

2. The Proposal/Background

- 2.1 The application site is located in the south east area of Exeter, between Countess Wear and Topsham. The site is about 1.8 hectares in area and is located within the north-west sector of Seabrook Orchards which has the benefit of outline consent for up to 700 dwellings and supporting infrastructure. The application site also borders on an adjoining recently constructed housing development known as Greenacres located on the former Royal Naval Stores Depot.
- 2.2 The application comprises a two form entry primary school with a total capacity of 420 pupils across 7 year groups, integrating nursery accommodation for 26 full time equivalent pre-school age children. The school comprises a 2 storey rectangular pitched roof building with a double height school hall at one end of the building. The proposed site layout has been orientated so that the main long facade of the school hall fronts onto the public square which forms the community core of the Seabrook Orchards development and will be progressed at a later phase.
- 2.3 Sited behind the hall lies the main school building with classrooms facing northeast and southwest for effective solar control. The ground floor classrooms have level access to covered informal external teaching areas and dedicated play areas for the

respective age ranges of pupils. The building itself is designed with a metal clad roof with photo voltaic panels on the southwest elevation and roof lights and sun pipes distribute natural light into the building. The walls of the building are to be finished in a combination of brick, render and hung slate. The brick to be used for the ground floor with render above.

- 2.4 The remainder of the site will comprise a sports pitch, hard-surfaced outdoor games area, landscaped grounds with gently sloping paths or ramps to avoid the need for steps. The staff/visitors' car park proposes 32 vehicle parking spaces located in close proximity to the permanent main entrance and a total of 40 secure cycle parking places.
- 2.5 The application proposes a temporary access road to link the school to Vernon Crescent which serves the adjoining Greenacres housing development. This facilitates construction of the school and functions as the main vehicular access point leading to the staff car park until such time as a permanent vehicular access is delivered as part of the Seabrook Orchards development. Following the opening of the permanent access the temporary vehicular access would be closed and the area restored.
- 2.6 The permanent vehicular site entrance will be provided at a later stage as the Seabrook Orchard development proceeds and will be located to the east of the school site providing direct access to the staff and visitor car park. A part of the Seabrook development will be the provision of community facilities and this will include limited vehicular drop-off and pick-up provision for the school.
- 2.7 A permanent pedestrian access would be provided onto Vernon Crescent, with three further pedestrian accesses being provided for paths leading from the Seabrook Orchard development.
- 2.8 The development of a school in this location arises from the requirements of the City Council's Core Strategy which identified the wider area as a strategic allocation for development which comprises around 3,500 dwellings, around 16 hectares of employment land and associated infrastructure, which includes the requirement for new primary education provision. Within the strategic allocation a significant number of houses have been delivered both on the former Royal Navy Stores Depot and land to the north and south of Old Rydon Lane.
- 2.9 The Seabrook Orchards site forms part of the strategic allocation for this area of Exeter and includes the school site subject of this report. An outline planning permission was granted by Exeter City Council in October 2013 for:
 - up to 700 dwellings and supporting infrastructure including: primary school, community building; doctors surgery and primary healthcare facilities; local store; care home/s; two access junctions on Topsham Road, roads, parking and associated works, sports fields and pavilion; informal open space; paths and cycle routes; landscaped spaces; play spaces; play areas, orchards and allotments; 3m high landform and acoustic fence at boundary with M5; surface water attenuation features; re-alignment of the Seabrook and re-profiling of channel.
- 2.10 The outline permission is subject of a number of planning conditions and a legal agreement and so far as the development of the school is concerned there are obligations on the landowner to:

- provide the site for the primary school;
- payment of an education contribution; and,
- construction of a road to the boundary north of the school site before the occupation of the 301st house or opening of the school, whichever is the earlier.
- 2.11 A reserved matters application relating to the provision of the primary school was approved by Exeter City Council in January 2015.
- 2.12 Whilst planning permission for the school has been granted in both outline and reserved matters form, this further full application has been submitted in order that the development can be carried out as soon as possible which will be enabled by the provision of the temporary access from Vernon Crescent.

3. Consultation Responses

- 3.1 Exeter City Council (Planning): No objection.
- 3.2 Exeter City Council (Environmental Health): No objection. Comment that:
 - The Council considers that the Construction Environmental Management Plan submitted with the application requires further detail on the methods of the controlling and monitoring of dust and requests that a planning condition be imposed requiring further details.
 - The Council considers that further information should be provided about the noise from mechanical plant and equipment used at the school and a planning condition should be included requiring the submission and approval of a Noise Assessment.
 - The application is not clear about whether food would be prepared at the school and if so an extraction system would be required, for which details should be supplied.
 - Whilst no contaminated land had been identified the Council think it appropriate
 to include a planning condition to ensure that any unexpected contamination is
 dealt with appropriately.
- 3.3 Environment Agency: No objection.
- 3.4 <u>Exeter Airport</u>: No objection.
- 3.5 Natural England: No objection.
- 3.6 Western Power Distribution: No objection.
- 3.7 RSPB: No objection.
- 3.8 Devon Wildlife Trust: No objection.
- 3.9 Devon & Cornwall Constabulary (Architectural Liaison Officer): No objection.
- 3.10 South West Water: No objection.

4. Advertisement/Representations

- 4.1 The application was advertised in accordance with the statutory publicity arrangements by means of a site notice, notice in the press and notification of neighbours by letter (47 addresses). As a result of these procedures 8 representations were received from 7 residents.
- 4.2 Two representations have been received which raise objection to the development on the grounds that the temporary access was unacceptable. Other representations did not raise objection to the proposal, however made comment that the temporary access for the proposal is unacceptable by virtue of:
 - Width and existing congestion experienced on the residential road (Vernon Crescent) with projected increase in car use.
 - Unsuitability to accommodate construction traffic and an unacceptable noise increase associated with construction traffic.
 - Unsuitability for projected pedestrian flows and health and safety concerns associated with road traffic and high pedestrian flows including poor visibility and access arrangements for emergency vehicles.
 - Residents of Vernon Crescent had not been informed of the proposal when their properties were purchased.
- 4.3 In the event that planning permission is granted, those making representations have requested that; significant traffic calming measures are put in place at Vernon Crescent; a pickup and drop off point is provided within the application site; the designs are reconsidered to allow for children on bikes to arrive on dedicated cycleways; the access points are redesigned and widened to create separate dedicated pedestrian and cycle access; a cycle route be identified from Vernon Crescent and Admiral Drive with associated highway improvements; the Higher Wear road junction facilities are upgraded to incorporate a toucan facility; pedestrian priority measures should be incorporated into the design to allow pedestrians with pushchairs and scooters priority on the footpath, that; parking provision for scooter and bicycles is reconsidered and increased.
- 4.4 Copies of representations are available to view on the Council website under reference DCC/3843/2016 or by clicking on the following link: https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3843/2016.

5. Planning Policy Considerations

In considering this application the County Council, as County Planning Authority, is required to have regard to the provisions of the Development Plan insofar as they are material to the application, and to any other material considerations. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that where regard is to be had to the Development Plan, the determination shall be in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Development Plan policies are summarised in Appendix I to this report and the most relevant are referred to in more detail in Section 6 below.

6. Comments/Issues

6.1 It is considered that the main material planning considerations in the determination of this application are traffic and transportation issues; disruption during construction; the design and layout of the school; potential flooding issues; sustainability

considerations; impact on residential amenity; and consideration of the proposed development against planning policy.

Traffic and Transportation Issues

- Objections from two local residents have been received in connection with the proposed use of the temporary access from the school onto Vernon Crescent in relation to increased congestion, unsuitability to accommodate construction traffic and unsuitability to accommodate pedestrian flows associated with the development. Comments have also been received requesting additional highway improvements and improved cycle provision be made in the event that planning permission is granted.
- 6.3 The school is being provided to serve the new dwellings within the Newcourt Masterplan area and therefore the vast majority of student travel to and from the site is expected from the new housing area. The school lies in the centre of 1,100 homes at Seabrook Orchards and Lower Royal Naval Stores Depot (RNSD), all of which are within 600 metres of the site. Further housing at RNSD, Holland Park, Newcourt Way and Old Rydon Lane will all be within a 10-15 minute walk.
- 6.4 It is expected that car mode splits will be in the lower region of that typically experienced at Exeter Primary schools, of the order of around 15-20%. This is higher than that at the nearby Clyst Heath School, which is perhaps the most similar example of a new school serving a new housing development, and comparable to the car mode splits recorded at St David's, St Leonards and Ladysmith Primary Schools.
- 6.5 Nevertheless, for 420 pupils this represents a reasonable amount of movement, and understandably some local concern has been raised about this. As is typical in vicinity of many primary school, some vehicle pick up and drop off will occur in the local streets for two short concentrated periods of the day. Although busy, such situations occur at schools across the city without giving rise to any significant road safety issues and it is considered that there is no reason why this site would be any different. In the absence of a road safety issue, the additional movements alone would not constitute to a justifiable highways reason for refusal for this application.
- 6.6 Local representations have suggested that facilities for car pick up and drop off could be provided on site. However, experience from other schools across the County suggests that this encourages car trips, which in a very urban environment with students from close proximity is not felt to be appropriate.
- 6.7 Details of the temporary site access shows a 3.1 metre access gate onto a 5.5 metre gravelled access road. A 2.0 metre width footpath is provided alongside this and this arrangement is considered to be acceptable. The adjacent streets are designed in accordance with Manual for Streets principles and provide a low speed environment that is suitable for pedestrians and cycle movements to and from the site.
- 6.8 Future pedestrian access points are proposed to the Seabrook Orchards site to the east. This permeability is welcomed and the provision of these to serve future developments should be secured by condition.
- 6.9 The Design and Access statement indicates that on-site parking will be staff and visitors only. The number of proposed spaces, 32, exceeds the number at other local primary schools and is considered sufficient.

- 6.10 To provide for sustainable travel, secure cycle parking for up to 40 cycles is proposed. Across Exeter, on average, approximately 15% of children cycle to school. The number of places is below that and should be increased. Given the site plan shows sufficient space on site to achieve this adjacent to the currently proposed cycle parking, this can be dealt with by planning condition.
- 6.11 Underpinning the promotion of sustainable travel is a School Travel Plan. The submitted Travel Plan covers a comprehensive list of measures and is acceptable. A condition is recommended to ensure that these measures to promote sustainable travel are introduced and continued, including periodic reviews of travel patterns.
- 6.12 The development would not have an unacceptable detrimental impact on the local road network. Once the further phases and permanent access is delivered any congestion experienced by residents on Vernon Crescent will be significantly reduced. With the imposition of conditions regarding further promotion of sustainable travel and the provision of addition cycle parking it is considered that the impact has been mitigated to an acceptable degree.

Construction Impacts

6.13 Disruption during construction is a consideration. The consultation response from Exeter City Council has been received which raises concerns regarding the adequacy of the submitted Construction Environment Management Plan with regard to the impact on the road and its capacity to manage construction related traffic and the methods of dust control. The proposal represents a reasonable length build period in an area close to residential properties and it is considered that the Plan should be refined to take these impacts better into account and this can be secured by planning condition.

Design and Layout of the School

- 6.14 Appropriate design is an important consideration. The school has been orientated so the main elevation of the school hall faces on the square thereby creating a direct interface between the school and the public realm. The school's sports pitch and hard surfaced play area will sit between the building and properties on the adjoining residential development. The proposed building is predominantly 2 storey with a pitched roof and will sit comfortably within its surroundings. Measures to reduce the developments energy requirements such as photovoltaics are supported.
- 6.15 The relationship to existing residential development on the adjoining site, and future development on the remainder of the Seabrook Orchards development is considered acceptable. The palette of materials is considered acceptable for the development and in the context of the wider design styles and principles of Seabrook Orchards. The design, style and orientation of the school is consistent with the previously approved reserved matter consent (reference: 14/2141/02). Attached to this consent was a condition relating to ecological enhancements to the building i.e. the installation of bird boxes.

Potential for Flooding

6.16 The site is currently undeveloped and the proposal will lead to an increase in the rate and volume of surface water run-off. The surface water drainage strategy is one of attenuation using infiltration drainage and storage and restricted discharge into existing watercourses to achieve existing greenfield run-off levels.

6.17 The provision of such a sustainable drainage system is welcomed however it is considered that further percolation tests at the installation locations are required. Also, clarification is being sought on the proposed water attenuation storage features. In the event that planning permission is granted these issues would be dealt with by planning condition.

Sustainability Considerations

6.18 The application sufficiently demonstrates that the proposal has incorporated a sustainable approach to design. In particular the building has been designed to minimise energy use, maximise use of natural daylight, provision of low energy lighting, natural ventilation, reduced water consumption, energy monitoring and the incorporation of photovoltaic cells will generate 20% of the building's predicted energy requirement.

Planning Policy Considerations

6.19 The benefit of the proposal in terms of delivering education provision weighs heavily in the planning balance. The National Planning Policy Framework (NPPF) requires:

"For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties" (paragraph 38)

- 6.20 This is secured in policy CP19 (Strategic Allocations) of the Exeter City Council Core Strategy which included provision for two new primary schools in the Newcourt Strategic Allocation in associated infrastructure. One of which is delivered with this application.
- 6.21 In relation to decision making in education provision the National Planning Policy Framework (NPPF) states clearly Planning Authorities must take a positive and proactive approach:

"The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted." (paragraph 72)
- 6.22 The need for additional primary school places in Exeter as a result of an increase in birth rates, migration into the city and large housing developments such as in the Newcourt area is recognised and planned for in the Devon County Council Education Infrastructure Plan (February 2013). The plan looks to provide for two new 420 primary schools in the wider Newcourt area, one within the timescale of 2016 2020 and the other within the timescale 2021 2026. This proposal would assist in meeting the strategic aims of the Education Authority set out in the Education Infrastructure Plan.

Impact on Residential Amenity

- 6.23 Exeter City Council Environmental Health comment regarding potential impacts on residential amenity relating to potential from noise from plant and odours from the school kitchen are noted.
- 6.24 The applicant has confirmed that the kitchen intends to prepare food for consumption on the site. However, it would not be considered necessary to condition kitchen extraction specification as this would be considered as part of the building control process, rather than the planning process.
- 6.25 Further information regarding noise from mechanical plant has been provided and the noise levels would not be significant.

Other Matters

- 6.26 Some of the nearby residents raised a concern that when they purchased their properties they were not informed of the proposed location for the school. Whilst these comments are noted they are not material to the determination of the planning application. Notwithstanding this the indicative school site location was outlined in the Newcourt Masterplan in 2010 and the Exeter Core Strategy in 2012. It is also noted that outline planning permission for the Seabrook Orchard site was granted in 2013.
- 6.27 Exeter City Council Environmental Health raise an issue with regards to the potential for contamination of the land at the site. Whilst the investigations undertaken indicate that there is no contamination the City Council has requested that a condition be imposed to deal with any unsuspected contamination. This is included in the conditions set out in Appendix II to this report.

7. Reasons for Recommendation/Alternatives Options Considered

- 7.1 The Committee has the option of approving, deferring or refusing this planning application.
- 7.2 The proposal is consistent with local and national planning policy guidance and specifically is identified for development and has the benefit of both outline and reserved matters consent. The school is considered to be well designed and well located to other proposed community facilities. Early delivery of the school is vital to meet the demands of school places generated by housing constructed in the Newcourt area and from Seabrook Orchard itself. Potential adverse impacts of the development have been considered and can be adequately mitigated by the imposition of the planning conditions set out in Appendix II. Taking all material considerations into account it is considered that planning permission be granted in accordance with the recommendation of the report.

Dave Black Head of Planning, Transportation and Environment

Electoral Division: St Loyes & Topsham

Local Government Act 1972: List of Background Papers

Contact for enquiries: Charlotte Pope

Room No: AB2, Lucombe House, County Hall

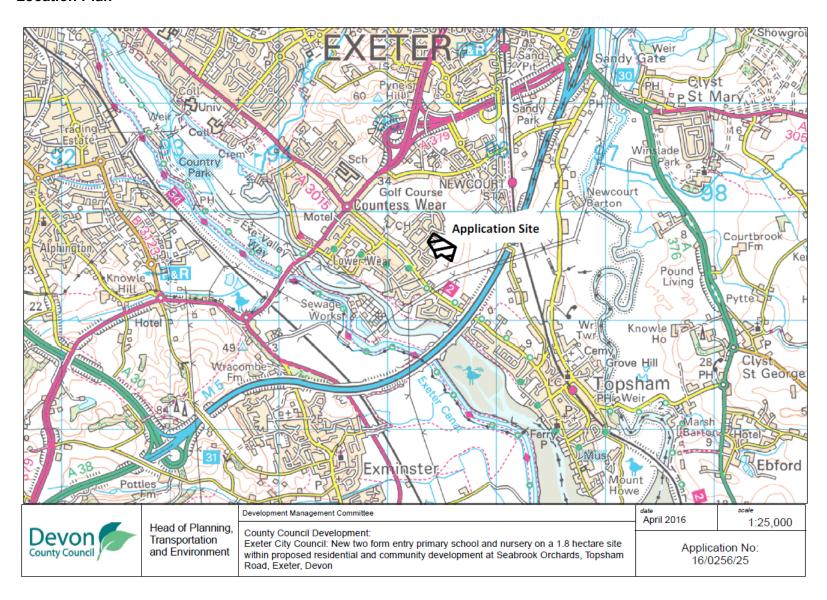
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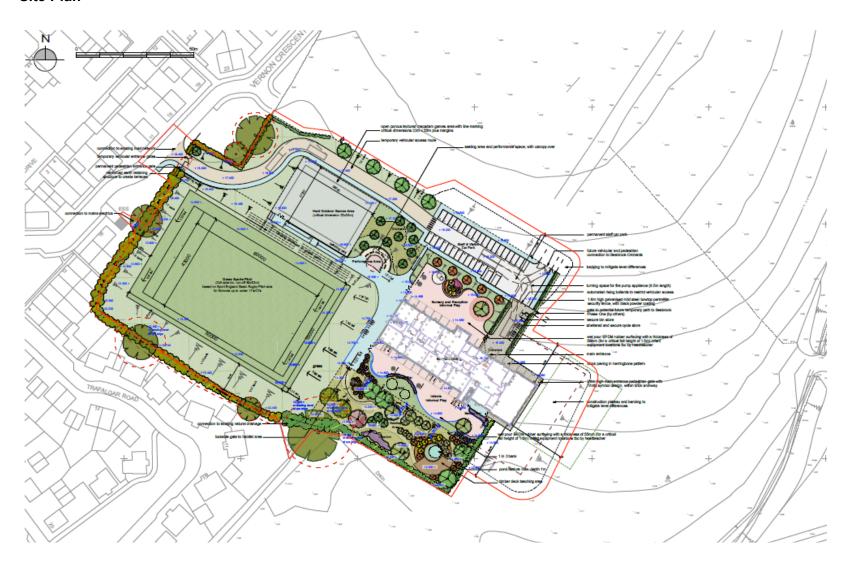
Casework File DCC/3843/2016

cp110416dma sc/cr/primary school nursery seabrook orchards Exeter 05 180416

Location Plan



Site Plan



Planning Policy Considerations

Government Guidance:

NPPF National Planning Policy Framework (March 2012)

NPPG National Planning Practice Guidance

Exeter Core Strategy (Adopted February 2012): Policies CP01 (Spatial Strategy); CP09 Transport; CP11 (Pollution); CP12 (Flood Risk); CP14 (Renewable and Low Carbon Energy); CP15 (Sustainable Construction): CP16 (Green Infrastructure); CP17 (Design and Local Distinctiveness); CP18 (Infrastructure); and CP19 (Strategic Allocations).

Exeter Local Plan, First Review 1995 - 2011 (Adopted March 2005): Policies AP01 (Design and Location of Development); AP02 (Sequential Approach); C05 (Archaeology); DG01 (Objectives of Urban Design); DG02 (Energy Conservation); DG07 (Crime Prevention & Safety); EN03 (Air & Water Quality); EN04 (Flood Risk); EN05 (Noise); LS01 (Landscape Setting); T01 (Hierarchy of Modes); T02 (Accessibility Criteria); T03 (Encouraging Use of Sustainable Modes); and T10 (Car Parking Standards).

Exeter City Council Supplementary Planning Document:

Newcourt Masterplan (November 2010)

Planning Conditions

1. The development shall commence within three years of the date of this permission.

REASON: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered: 1020/P100 revision B; 1020/P102 revision E; 1020/P103 revision A; 1020/P104 revision A; 1020/P105 revision A; 1020/P106 revision A; 1020/P107 revision A; 1020/P108 revision A; 1020/P109 revision A; 1020/LT07 revision C and 04263 TPP revision C except as may be varied by the conditions below.

REASON: To ensure that the development is carried out in accordance with the approved details.

3. No part of the development hereby approved shall be brought into its intended use until the vehicular and pedestrian access from Vernon Crescent, access drive, on-site parking facilities, turning area and pedestrian connection to the boundary with Seabrook Orchards on the east and north east of the site have been provided and maintained in accordance with the Proposed Site Plan Drawing P102 Rev E and retained for that purpose at all times.

REASON: To ensure that a safe and suitable access for all modes is provided and that adequate facilities are available for the traffic attracted to the site and in accordance with the Development Plan specifically policies T01 and T03 Exeter Local Plan, First Review 1995 -2011 (Adopted March 2005).

4. No part of the development shall be commenced until details of secure cycle parking facilities for students and staff have been submitted to and approved in writing by the County Planning Authority. No part of the development shall be occupied until the cycle parking facilities have been provided in accordance with the approved details and maintained for those purposes at all times.

REASON: To provide adequate facilities for sustainable transport and in accordance with the Development Plan specifically policies T03 and T10 Exeter Local Plan, First Review 1995 -2011 (Adopted March 2005).

5. A School Travel Plan including a programme of implementation shall be submitted to and approved in writing by the County Planning Authority. The travel plan shall be implemented in accordance with the approved submission and reviewed on an annual basis. Any amendments identified in the annual review shall be submitted to and agreed in writing by the Planning Authority and shall thereafter form part of the approved plan.

REASON: To promote the use of sustainable transport modes, in accordance with paragraph 36 of the National Planning Policy Framework and in accordance with the Development Plan specifically policies T03 Exeter Local Plan, First Review 1995 - 2011 (Adopted March 2005).

- 6. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the County Planning Authority. The statement shall provide details of:
 - a) Timetable/programme of works
 - b) Measures for traffic management
 - including routing of vehicles to and from the site
 - details of the number/frequency and sizes of vehicles
 - access arrangements
 - timings and management arrivals and departures of vehicles
 - c) Days and hours of building operations and deliveries
 - d) Location of loading, unloading and storage of plant and materials
 - e) Location of contractor compound and facilities
 - f) Provision of boundary fencing/hoarding
 - g) Parking of vehicles of site personnel, operatives and visitors.
 - h) Wheel washing
 - i) Dust control including
 - j) Recycling during construction

The development shall be implemented in accordance with the approved scheme.

REASON: To ensure adequate access and associated facilities are available for the construction traffic and to minimise the impact of construction on nearby residents and in accordance with the Development Plan specifically policies EN03 and ENC05 Exeter Local Plan, First Review 1995 -2011 (Adopted March 2005).

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the County Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the planning authority.

Reason: To ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately and in accordance with the Development Plan specifically policies CP15 Exeter Core Strategy (Adopted February 2012).

8. The development shall be carried out in strict accordance with the details shown on the approved documents titled "Plant Noise Assessment BS4142" dated 9/07/2015 except as varied by the conditions below.

REASON: To ensure that the development is carried out in accordance with the approved details.

9. No part of the development hereby permitted shall be commenced until a detailed permanent surface water drainage management plan has been submitted to, and approved in writing by, the County Planning Authority, with consultation with the Lead Local Flood Authority. This detailed permanent surface water drainage management plan will be informed by the additional programme of approved BRE Digest 365 Soakaway Design (2007) percolation tests, in accordance with the principles of

sustainable drainage systems, and those set out in the Flood Risk Assessment and Drainage Strategy (Report No. 5132520, Rev. 1, dated 18th February 2016).

REASON: To ensure that surface water is managed in accordance with the principles of sustainable drainage systems and in accordance with the Development Plan specifically policies CP12 Exeter Core Strategy (Adopted 2012) and EN04 Exeter Local Plan, First Review 1995 -2011 (Adopted March 2005).

No part of the development hereby permitted shall be commenced until a further programme of percolation tests has been carried out in accordance with BRE Digest 365 Soakaway Design (2007), and the results approved in writing by the County Planning Authority, with consultation with the Lead Local Flood Authority. A representative number of tests should be conducted to provide adequate coverage of the site, with focus placed on the locations of the proposed soakaways and permeable surfaces.

REASON: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible and in accordance with the Development Plan specifically policies CP12 Exeter Core Strategy (Adopted 2012) and EN04 Exeter Local Plan, First Review 1995 - 2011 (Adopted March 2005).

11. The building hereby approved shall not be brought into use until bird and bat boxes have been installed on the building in accordance with the recommendations set out in the submitted Ecological Appraisal dated August 2014. Thereafter the said bird/bat nesting boxes shall be retained in situ and maintained for the intended purpose unless otherwise agreed in writing by the County Planning Authority.

REASON: To ensure that appropriate provision is made for nesting birds/bats within the development in the interests of enhancing the contribution of the development to the ecology of the area.