



## Exeter City Council

To the Chair and Members  
of the Planning Committee

Philip Bostock, Chief Executive

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A meeting of the **PLANNING COMMITTEE** will be held in the **RENNES ROOM, CIVIC CENTRE, PARIS STREET, EXETER** at **5.30 pm** on **MONDAY 6TH SEPTEMBER 2010** to consider the following business. If you have an enquiry regarding any items on this agenda, please contact Sarah Selway, Member Services Officer on **Exeter 265275**.

**Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.**

### AGENDA

#### Part I: Items suggested for discussion with the press and public present

#### 1                                    DECLARATIONS OF INTEREST

Councillors are reminded of the need to declare personal and prejudicial interests, including the nature and extent of such interests, in relation to business on the agenda, before any discussion takes place on the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

#### 2                                    LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC

It is not considered that the Committee would be likely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed: -

**RECOMMENDED** that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part I of Schedule 12A of the Act.

#### Public Speaking

**Public speaking on planning applications and tree preservation orders is permitted at this Committee. Only one speaker in support and one opposed to the application may speak and the request must be made by 5pm on the Thursday before the meeting (full details available on request from the Member Services Officer).**

- 3      **PLANNING APPLICATION NO.10/1020/03 & LISTED BUILDING CONSENT  
NO.10/1021/07 - PINBROOK HOUSE, CHEYNEGATE LANE, EXETER**  
To consider the report of the Head of Planning and Building Control.      1 - 8  
(Report circulated)
- 4      **PLANNING APPLICATION NO.10/0915/38 - 98 HONITON ROAD, EXETER**  
To consider the report of the Head of Planning and Building Control.      9 - 12  
(Report circulated)
- 5      **PLANNING APPLICATION NO.10/0556/03 - WEST OF ENGLAND SCHOOL,  
TOPSHAM ROAD, EXETER**  
To consider the report of the Head of Planning and Building Control.      13 - 18  
(Report circulated)
- 6      **PLANNING APPLICATION NO.10/0648/16 - WHIPTON METHODIST CHURCH,  
BROOKWAY, EXETER**  
To consider the report of the Head of Planning and Building Control.      19 - 24  
(Report circulated)
- 7      **PLANNING APPLICATION NO.10/0975/38 - 8-10 CHURCH ROAD,  
ALPHINGTON, EXETER**  
To consider the report of the Head of Planning and Building Control.      25 - 28  
(Report circulated)
- 8      **PLANNING APPLICATION NO.10/1161/03 - 12 LITTLE JOHNS CROSS HILL,  
EXETER**  
To consider the report of the Head of Planning and Building Control.      29 - 34  
(Report circulated)
- 9      **PLANNING APPLICATION NO.10/1050/03 - 11 SUMMERWAY, EXETER**  
To consider the report of the Head of Planning and Building Control.      35 - 38  
(Report circulated)
- 10     **TREE PRESERVATION ORDER NO. 621 - BRIDGE END, 39 ELM GROVE  
ROAD, TOPSHAM, EXETER**  
To consider the report of the Head of Planning and Building Control.      39 - 44  
(Report circulated)
- 11     **TREE PRESERVATION ORDER NO. 619 - PARKFIELD HOUSE, HOLMAN  
WAY, TOPSHAM, EXETER**  
To consider the report of the Head of Planning and Building Control.      45 - 48  
(Report circulated)

12 **PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND  
WITHDRAWN APPLICATIONS**

To consider the report of the Head of Planning and Building Control.

49 - 80

(Report circulated)

13 **ENFORCEMENT PROGRESS REPORT**

To consider the report of the Head of Planning and Building Control.

81 - 84

(Report circulated)

14 **APPEALS REPORT**

To consider the report of the Head of Planning and Building Control.

85 - 102

(Report circulated)

15 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 21 September 2010 at 9.30 a.m. The Councillors attending will be D. Baldwin, Cole and Prowse.

**DATE OF NEXT MEETING**

The next scheduled meeting of the Planning Committee will be held on  
**Monday 4 October 2010** 5.30 pm. in the Civic Centre.

**Membership -**

Councillors Prowse (Chair), D Baldwin (Deputy Chair), Branston, P J Brock, Cole, R M Hannaford, D J Morrish, Newby, Thompson and Wadham

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# Agenda Item 3

**ITEM NO.** 3

**COMMITTEE DATE:** 06/09/2010

**APPLICATION NO:** 10/1020/03 FULL PLANNING PERMISSION  
**APPLICANT:** Mr J Jenner  
**PROPOSAL:** Change of use from nursing home to house in multiple occupation, roof lights on south (1) and north (2) elevations and lay-by on east boundary  
**LOCATION:** Pinbrook House, Cheynegate Lane, Exeter, EX4 9HZ  
**REGISTRATION DATE:** 21/06/2010  
**EXPIRY DATE:** 16/08/2010

**ITEM NO.** 3

**COMMITTEE DATE:** 06/09/2010

**APPLICATION NO:** 10/1021/07 LISTED BUILDING CONSENT  
**APPLICANT:** Mr J Jenner  
**PROPOSAL:** Demolition of cold store on north elevation, rooflights on south (1) and north (2) elevations and creation of shower room on second floor.  
**LOCATION:** Pinbrook House, Cheynegate Lane, Exeter, EX4 9HZ  
**REGISTRATION DATE:** 21/06/2010  
**EXPIRY DATE:** 16/08/2010



Scale 1:1250

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## **HISTORY OF SITE**

99/00453/03 -	Rear extension to house lift shaft. (Renewal of unimplemented permission 93/0529/03).		05/07/1999
99/00454/07 -	Rear extension (Renewal of unimplemented permission 93/0530/07).		30/07/1999
01/0198/03 -	Installation of boundary fence in rear garden	WRT	26/03/2001
01/00199/07 -	External alterations to provide fence in rear garden	WRT	26/03/2001

01/0677/03 -	Installation of fence to boundary in rear garden area	PER	12/07/2001
01/0684/07 -	External alterations to provide a fence	PER	12/07/2001
06/2649/03 -	Ground floor extension on north elevation	PER	19/04/2007
06/2650/07 -	External alterations to provide ground floor extension on north elevation	PER	18/04/2007
10/1020/03 -	Change of use from nursing home to house in multiple occupation, roof lights on south (1) and north (2) elevations and lay-by on east boundary	PER	
10/1021/07 -	Demolition of cold store on north elevation, rooflights on south (1) and north (2) elevations and creation of shower room on second floor.		
ENF/06/00047 -	Extension on north elevation	SJ	11/01/2008

## **DESCRIPTION OF SITE/PROPOSAL**

The property is a Grade II\* Listed Building. It does not fall within a designated conservation area. The property was most recently used as a care home comprising a total of 19 bedrooms. However, for approximately the last eighteen months the building has stood empty and has suffered from some minor vandalism.

It is proposed to convert the building, which is in C2 Use Class, to a House in Multiple Occupation. The proposed use will consist of 12 bedrooms with the addition of a manager's flat within the existing attic. To facilitate the change of use some alterations are sought, namely the demolition of an existing cold store and minor reconfiguration of a number of existing rooms. Both planning permission and listed building consent are sought.

The applicant has indicated that the University, specifically INTO, have expressed an interest in using the facility for an initial 12 months.

## **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The application is accompanied with a Design and Access Statement and a Heritage Statement. The applicant highlights the following points.

*Layout;* The layout internally will remain unchanged, with the exception of a change in room functions, from bedroom to reading/quiet study rooms, of two rooms on the first floor and one room on the second floor. Minor ancillary space use revisions on the ground floor are proposed with an external lean-to timber clad store on the north elevation proposed for removal. A revised layout to the rear of the building is proposed, with additional landscaping to establish a better setting of the building when viewed from the back.

*Scale;* The overall scale of the property remains the same as existing, it is clearly the dominant building in this area and the intention of the plan is to reinforce this by extending the visual curtilage at the rear and by removing the timber lean-to extension.

*Landscape;* Hard and soft landscape revisions to the rear garden of the house. These revisions are required to regularise the ownership boundary, which is to be demarcated by extending the soft-landscape turf out to a kerb stone edge on the ownership boundary within the car parking apron at the rear of the house. Within the curtilage it is proposed to delete the ambulance hardstanding at the centre rear of the house to unify and soften the landscape surfaces adjacent the house and site one drop off parking space adjacent the side vehicular access. The intimate garden areas at the sides and in front of the house will remain the same as existing. The proposed demolition and increase in physically demarcated curtilage at the rear will allow additional landscaping to improve the setting.

*Appearance;* The existing overall appearance is to be retained exactly as existing from the front and side. The north side will be improved by selective demolition of the timber lean-to

cold store extension. The exposed original brick wall behind is repaired to match the existing. General conservation repairs are proposed by way of maintenance to the external envelope throughout the building. The garden setting appearance shall be retained as existing and the perimeter walling and boundary treatment shall also be retained to the main frontage and roadside aspects of the house. In all other respects the external envelope will remain the same as existing, with the necessary repairs and maintenance made to the fabric of the envelope.

*Access;* Strong local public transport networks exist throughout the area, linking Pinhoe with Heavitree and the centre of Exeter generally. Cheynegate Lane has a bus service running along its length every 30 minutes. In addition, pedestrian and cycle routes exist throughout the vicinity. Rights of way and footpath access remains unchanged around and beyond the site. It is proposed to designate the double garage at the north east corner of the site as a bicycle store.

*Environmental Strategy;* The proposed sustainable re-use of this existing empty Grade II\* listed building, as opposed to demolition and rebuilding is the most obvious and significant environmental strategy, maintaining historic interest in the built environment.

## **REPRESENTATIONS**

In total seven letters of objection have been received in relation to the planning application and four letters of objection have been received in relation to the listed building consent application. Three objectors have submitted representations on both applications.

Principal planning issues raised include:-

1. Out of character with regard to tenure type.
2. Increased noise from future occupiers.
3. Anti-social behaviour.
4. Highway congestion and on-street parking problems.
5. Loss of privacy.
6. Detrimental impact on the character and appearance of a Grade II\* Listed Building.
7. Will hinder future development opportunities in the area.
8. Inadequate public transport.

## **CONSULTATIONS**

Environmental Health raise no objection.

The Executive Director of Environment, Economy and Culture seeks a financial contribution towards a new traffic order and two additional conditions relating to cycle storage and a Green Travel Plan.

The Environment Agency provide no comments.

English Heritage highlight concerns with regard to the use but raise no objection. English Heritage wanted assurance that other uses including office space for example had been investigated.

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance

PPS1 - Delivering Sustainable Development

PPS5 - Planning for the Historic Environment

Devon County Structure Plan 2001-2016

CO6 - Quality of New Development

CO7 - Historic Settlements and Buildings

TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011

C2 - Listed Buildings

DG1 - Objectives of Urban Design  
H1 - Search Sequence  
H2 - Location Priorities  
H5 - Diversity of Housing  
E3 - Retention of Employment Land or Premises

## **OBSERVATIONS**

There are a number of issues that need to be examined carefully with regard to this application. The first issue that needs to be taken into consideration relates to the impact of the proposal on the character of the area. As already described in this report the property subject to this application was formerly used as a nursing home. Whilst the level of activity associated with the property will increase by virtue of more frequent comings and goings such an increase in activity is not seen as detrimental. Consequently it is not anticipated that the proposed development will detract from the existing character of the area.

The second issue relates to the impact of the proposal on the appearance of the host building. By and large the existing appearance of the building will be protected. At the rear a small timber-built cold store is proposed to be removed. However, this structure is a more recent addition and its removal is not considered an issue. When the application was first submitted a number of rooflights were proposed as well as a number of on-street car parking spaces. Both aspects were considered unacceptable, and following a series of discussions with the applicant have been omitted. This action is welcomed as it helps protect the integrity of an important heritage asset.

A third issue that needs to be looked at carefully relates to the loss of employment premises. Policy E3 of the Exeter Local Plan states the loss of employment land or premises will not be permitted where it would harm business or opportunities in the area. Given the siting of the host building, the loss of this particular employment premises will not have a detrimental impact on the locale. This view is further justified by the length of time the building has stood empty whilst an alternative use/owner was sought.

A fourth aspect concerns itself with the conversion and the appropriateness of this site. The Local Planning Authority seek to ensure varied property types are available throughout the city providing that areas of over concentration are avoided. The Local Planning Authority have identified three areas throughout the city where an over concentration of one property type has already occurred. The area in which this property is located does not fall within any of these three areas. Consequently the conversion to a House in Multiple Occupancy will ensure a balanced mix of property types is provided in this particular part of the city. Policy H5 of the Exeter Local Plan not only seeks to ensure a balanced market but also seeks to ensure existing amenity levels are protected. By reason of the orientation of the host building, its size and spatial relationship with adjacent properties the proposal will not in officer opinion result in a reduction of amenity levels.

A fifth point that has been discussed at length relates to highway implications. The Highway Engineer at Devon County Council does not view the proposed development as unacceptable. The applicant has incorporated secure cycle storage into the scheme which is welcomed. Similarly, a Green Travel Plan has been agreed with the Highway Engineer which sets out the applicants intention to reduce the future residents use of private motor vehicles. Both of the abovementioned points lead the Local Planning Authority to conclude that the proposed development will not jeopardise highway safety.

Finally consideration needs to be given to the impact of the proposed development on an important Grade II\* Listed Building. As already identified the property is presently unoccupied. However it was most recently used as a nursing home. A number of partition walls have been inserted to the first and second floor which have subdivided the original rooms, partly removing the original three room plan of each floor. However, the original decorative plaster work remains and the original floor plan remains readable. Removal of the



outbuilding is welcomed as this was built quite recently without formal consent. The rooflights which were originally proposed have now been omitted from the proposal. The building is Grade II\* and as such guidance contained in the PPS5 Practice Guide, notes that the insertion of new elements such as rooflights are quite likely to adversely affect the building's significance. Omitting the rooflights is therefore welcomed.

In officer opinion the proposed change of use is appropriate for a property of this nature in this location. Whilst an increase in activity is inevitable it is not felt that the proposal will result in a loss of residential amenity or have a detrimental impact on the character and/or appearance of the host building.

A legal agreement will be required to secure the financial contribution sought by the County Director of Environment, Economy and Culture.

### **NORTHERN AREA WORKING PARTY**

Members supported officer recommendation to approve the application (16/08/2010). However following the meeting it was agreed that both applications should be presented at full committee because the host building is a Grade II\* Listed Building and letters of representation had been received.

### **RECOMMENDATION**

Subject to completion of a Section 106 legal agreement to secure a financial contribution towards a new traffic order, the Head of Planning and Building Control be delegated to approve applications 10/1020/03 and 10/1021/07 subject to the conditions set out below.

In the event that the Section 106 agreement is not completed within 6 months of the date of the resolution to approve, authority be delegated to the Head of Planning and Building Control to refuse permission for the reason that inadequate provision has been made for the matters that were intended to be dealt with in the Section 106 agreement.

1. Approve application 10/1020/03 subject to the following conditions.

**APPROVE** subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on the 21 June 2010 and 1 July 2010 (*dwg. no(s). A1, A2, A3, A4, A5, A6, A7 and A8*), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.  
**Reason:** To ensure that the materials conform with the visual amenity requirements of the area.
- 4) No part of the development hereby approved shall be occupied until secure cycle parking facilities have been provided in accordance with the requirements of this

permission and retained for that purpose at all times.

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

- 5) No part of the development hereby approved shall be occupied until the strategy and proposed measures to be introduced under the terms of the Travel Plan have been implemented in accordance with the requirements of this permission and shall be monitored at all times and updated annually.

**Reason:** To reduce the volume and impact of traffic attracted to the site.

- 6) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

**Reason:** To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 7) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

**Reason:** To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 8) The third floor owners/managers flat hereby approved shall be used solely for this purpose in perpetuity.

**Reason:** To ensure the accommodation is appropriately managed for the benefit of adjacent residential units.

2. Approve application 10/1021/07 subject to the following conditions.

**APPROVE** subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

**Reason:** To comply with section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2) The works to the listed building shall be carried out in strict accordance with drawings numbered A1, A2, A3, A4, A5, A6, A7 and A8. No works other than those explicitly shown or referred to on the drawings are hereby granted consent.

**Reason:** To protect and preserve the character of the listed building.

- 3) No external brickwork shall be re-pointed until a sample area has been prepared on site to show the proposed mortar composition and colour, and method of pointing, and has been approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

**Reason:** To protect and preserve the character of the listed building.

- 4) No new or replacement rainwater goods, soil pipes, vents, flues or extractors shall be installed until their full details have been submitted to and approved in writing by

the local planning authority.

**Reason:** To protect and preserve the character of the listed building.

- 5) Prior to the commencement of any repair works a full schedule of repair works and method statement shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

**Reason:** To protect and preserve the character of the listed building.

**Local Government (Access to Information) 1985 (as amended).**

**Background papers used in compiling the report:**

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

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# Agenda Item 4

**ITEM NO.** 4

**COMMITTEE DATE:** 06/09/2010

**APPLICATION NO:** 10/0915/38

EXTENSION TO EXTANT PLANNING  
CONSENT

**APPLICANT:**

South West Property Trading Ltd

**PROPOSAL:**

Redevelopment to provide 8 self-contained flats, parking,  
cycle/bin store, access to highway and associated works  
(Extension of Time for extant Planning Permission Ref No  
08/0267/03 granted 30 June 2008)

**LOCATION:**

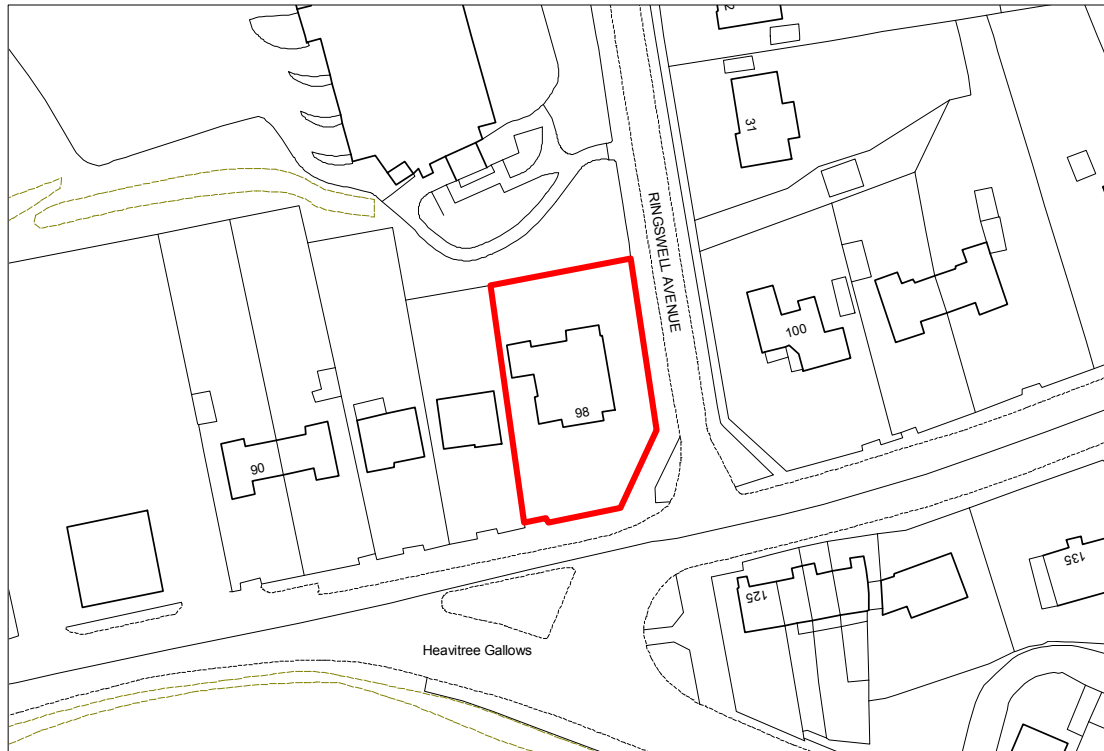
98 Honiton Road, Exeter, EX1 3EE

**REGISTRATION DATE:**

07/06/2010

**EXPIRY DATE:**

02/08/2010



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## **HISTORY OF SITE**

08/0267/03 -	Redevelopment to provide 8 self-contained flats, parking, cycle/bin store, access to highway and associated works	PER	30/06/2008
08/1514/03 -	Amendment to application 08/0267/03 (approved 30 June 2008) to include living accommodation in roof, roof lights on east and west elevations and glass panels in gables	WDN	08/10/2008

## **DESCRIPTION OF SITE/PROPOSAL**

The application relates to a site which currently comprises a bungalow on the corner of Honiton Road and Ringswell Avenue. It has a private entrance drive off Honiton Road. The site is bounded to the north by the new St Nicholas Primary School. To the west is a two storey detached dwelling fronting Honiton Road. There is a hedge and fence boundary with

this property. The site is screened from Honiton Road and Ringswell Avenue by a well-established hedge.

The area is characterised by detached and semi-detached dwellings with pitched roofs and faced predominantly with render.

In 2008, full planning permission was granted to demolish the existing house and redevelop the site with a two storey building comprising 8 flats. Two of the flats had two bedrooms and the remaining flats had one bedroom. The approved scheme required the existing access to the front of the site is to be filled in with additional planting, and a new access created off Ringswell Avenue to serve a car park of 8 spaces at the rear of the site. This area also included space for turning of vehicles, a bin and recycling store, and a cycle store.

This application is for an extension of time to implement the approval.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

- Design and Access Statement

### **REPRESENTATIONS**

Objections: 10. Principal planning issues raised:

1. Overlooking of children's nursery at St Nicholas School.
2. Overlooking of neighbouring properties.
3. The proposal would be out of keeping with the character and appearance of the area.
4. Overshadowing of school and dwellings.
5. Overdevelopment of the site.
6. Size and height of the proposal.
7. Poor design.
8. Light pollution.
9. Highway and pedestrian safety where vehicles cross the footway in Ringswell Avenue.
10. Additional traffic in Ringswell Avenue.
11. Loss of mature garden.

### **CONSULTATIONS**

The Head of Environmental Health Services raises no objections subject to conditions relating to construction hours and noise.

The County Director of Children and Young People's Services confirms that an education contribution would not be required.

### **PLANNING POLICIES/POLICY GUIDANCE**

#### **Government Policy Guidance**

PPS3 - Housing

'Greater Flexibility for Planning Permission' (November 2009)

#### **Devon County Structure Plan 2001-2016**

CO6 - Quality of New Development

TR10 - Strategic Road Network and Roadside Service Areas

#### **Exeter Local Plan First Review 1995-2011**

H1 - Search Sequence

H2 - Location Priorities

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

## **OBSERVATIONS**

This scheme was originally approved in 2008. National Government guidance as stated in 'Greater Flexibility for Planning Permission' (November 2009) introduced the ability to extend the time limits for implementing planning permissions. The Guidance states that the 'measures have been introduced in order to make it easier for developers and Local Planning Authorities to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve'. The Local Planning Authority in making their decisions must focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of permission. The scheme remains identical to that approved in 2008. Although there have been letters of objection, the issues raised were assessed at the time of the approved application. One letter of objection cites the revised PPS3 which was issued in July 2010. However, this was only a minor modification to the 2006 version of PPS3, and the relevant advice remains unchanged.

Consequently given that there has been no relevant change in policy or other material considerations since the original approval, it is considered that this application for the extension of time for an additional three years is acceptable.

## **RECOMMENDATION**

**APPROVE** subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 24 April (*dwg. no(s). 5999-08B*), and 16 May 2008 (*dwg. no(s) 5999\_06B, 07C and 10A*) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) C38 - Trees - Temporary Fencing
- 7) The hedges on the boundaries of the site shall be retained to the satisfaction of the Local Planning Authority.  
**Reason:** In the interests of visual and residential amenity.
- 8) The existing newly constructed footway/cycleway route on Ringswell Avenue shall be reinstated to a condition and standard acceptable to the Local Planning Authority as soon as possible following construction of the new access to the site.  
**Reason:** To ensure that there is no detriment to existing public highway infrastructure as a result of the development.

- 9) No part of the development hereby approved shall be brought into its intended use until the parking facilities and visibility splays have been provided in accordance with full details that have first been submitted to and approved in writing by the Local Planning Authority.  
**Reason:** In the interests of parking and highway safety.
- 10) The existing access shall be effectively and permanently closed as soon as the new access is capable of use.  
**Reason:** To prevent use of a substandard access and to minimise the number of accesses onto the public highway.
- 11) Before the development hereby approved is brought into use the proposed windows in the west elevation of the property shall be permanently glazed with obscure glass and thereafter so maintained.  
**Reason:** To protect the amenities of the adjoining property.
- 12) Construction work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.  
**Reason:** In the interests of residential amenity.
- 13) The applicant shall undertake a background noise survey and development shall not begin until a scheme for protecting the proposed accommodation from noise from vehicular traffic has been submitted to and approved by the Local Planning Authority, and all works which form part of the scheme shall be completed before any of the permitted dwellings are occupied. The applicant should aim to achieve at least the 'Reasonable' standards for internal noise level in residential properties specified in BS8233:1999 Sound Insulation and Noise Reduction for Buildings – Code of Practice.  
**Reason:** In the interests of the amenity of occupants of the development.
- 14) The existing hedge bounding the site shall be retained unless otherwise agreed in writing by the Local Planning Authority.  
**Reason:** In the interests of visual amenity and to ensure that the proposed amenity space is screened to protect the privacy of the future occupants of the property.
- 15) No development shall take place until a Wildlife Plan has been produced by the applicant and approved by the Local Planning Authority. The wildlife plan should state how the proposed development will be managed in perpetuity to enhance wildlife.  
**Reason:** In the interests of promoting opportunities for wildlife.

**Local Government (Access to Information) 1985 (as amended).**

**Background papers used in compiling the report:**

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223



# Agenda Item 5

**ITEM NO.** 5

**COMMITTEE DATE:** 06/09/2010

**APPLICATION NO:** 10/0556/03 FULL PLANNING PERMISSION

**APPLICANT:** Mr P Harding  
South Western Ambulance Service

**PROPOSAL:** Ambulance dispatch point with portacabin, fence and associated works adjacent to substation

**LOCATION:** West of England School, Topsham Road, Exeter, EX2 4NF

**REGISTRATION DATE:** 17/06/2010

**EXPIRY DATE:** 12/08/2010



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## **HISTORY OF SITE**

No directly relevant history.

## **DESCRIPTION OF SITE/PROPOSAL**

The application site comprises a small area of grass verge within the West of England School complex. It is situated next to an existing Western Power electricity sub-station with frontage to the secondary/rear access to the school which emerges onto Topsham Road approx 120 metres back from the Countess Wear roundabout.

The proposal comprises the stationing of a portacabin building measuring 7.2 metres long by 3 metres wide on the grassed area in connection with the use of the land as an Ambulance dispatch point. The portacabin would provide rest facilities for the ambulance staff in the form of a WC and small kitchen/rest area. The site could potentially be used for the stationing of an ambulance 24 hours a day 7 days a week. In association with the proposal fencing would be erected along the access road, and between the site and the remainder of the school complex, in order to prevent conflict between the use of the site for ambulance dispatch and visually impaired pupils of the school.

## **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The application is accompanied by a Design and Access statement. This outlines the nature of the existing site and the proposal. The proposal is justified as follows:-

The operation of the Ambulance Service is under pinned by a nationally agreed NHS target of reaching a patient within 8 minutes of receiving an alert call. The current quantity and position of Ambulance Stations do not permit this target to be easily reached without standby ambulances parked in a number of strategically placed roadside points from where they can be more quickly dispatched to a call. Invariably these dispatch points can be at roadside lay-bys and car parks etc. These places do not always have suitable welfare facilities for Ambulance paramedics whilst they wait for the next call and it has become necessary to develop partnerships with local businesses or organisations to share their facilities. This development involves the use of one such area of land within the West of England school's boundary. It is proposed to position a portable building of nominal size 7.2 x 3mtr wide x 2.8 mtrs high onto a grassland area adjacent to the rear access road and approx 50 metres from its Topsham Road entrance.

The cabin will be positioned adjacent to existing vegetation so as to pose minimal visual impact from nearby private dwellings. Access to the cabin will be via a short hard pathway and low steps and is expected to be used only by able bodied staff and will not be open to the general public. The internal layout consists of 22 sq mtr area comprising a WC, kitchen and rest area. The external panel finish will be in Goosewing grey (10A05) with Heritage green (RAL6002) to trims and door with white UPVC double glazed windows.

A low fence (1.2 metres high) is to be installed alongside the raised pavement to protect the school's visually impaired students from coming into conflict with emergency vehicles. The ambulance vehicle will be parked in an agreed position from where it can easily access the Topsham Road highway. The gates will be auto powered to permit opening of the gates in advance of the vehicle's approach and will automatically close once the vehicle has passed through. re-entry will be via a digital key pad.

The Exeter district to be served by this development is principally to the East of the access road and consequently approx 90% of the emergency vehicles will not be turning across the traffic but will be travelling left onto Topsham Road. It is proposed to request of the Highways Department that yellow box marking be laid to the entrance and the carriage way to further mitigate any traffic disruption.

To ensure that additional noise and nuisance are eliminated all emergency vehicles leaving the premises will be instructed not to use their blue lamps or sirens until after they have reached the highway. Also an external vehicle charger will be installed to the cabin which will ensure no vehicle is required to be left with its engine running for purposes of charging on-board equipment.

The proposed scheme primarily enables South Western Ambulance Service to more effectively serve the community surrounding the Countess Wear area of Exeter. As a bonus the scheme also encourages a working partnership with a local charity organisation. This will consequently offer additional opportunities for physically disadvantaged children to engage with one of the local emergency services thereby reducing their own personal anxieties while assisting in improving their general perception of local health care provision.

### **Further Information**

Following the receipt of representations a series of further questioned were asked to clarify the nature of the proposal and the background behind the selection of this site.

The applicant has subsequently confirmed that this application is not part of a systematic roll-out of satellite ambulance stationing points but represents a one-off answer to the particular issue of service delivery in the Eastern area of the City. In terms of the site selection process it has been confirmed that this was governed by the need to site an ambulance within a

limited geographical area based on historical data relating to the exact location of emergency calls over the previous 12/24 month period. In this case this was defined as being within a half mile radius of Countess Wear roundabout. The applicant states that it was concluded that the application site was on the correct side of the highway and afforded a clear exit onto Topsham Road, whilst also having enough infrequently used land to accommodate their operational needs. The building is temporary in nature as a third party constructing a permanent building on their land would not have been acceptable to the school, and a temporary building allows quicker response to changing operational requirements. The applicant has confirmed that the use would be required on a permanent basis 24hrs a day 7 days a week, but would only be expected to accommodate a single vehicle at any one time.

The applicant has also stressed the following -

"Local residents can be assured that resources using any proposed facility at this location would arrive and deploy using audible and visual warning systems only when required. Obviously their use would be minimal during the more unsocial hours.

As our resources have no specific despatch point in the immediate vicinity of this location they are currently forced to remain in their vehicles often with engines running. A more structured facility would be appropriately sound proofed and would have the ability for the vehicle to be placed on charge, negating the need for the engines to remain running."

### **REPRESENTATIONS**

10 letters of objection have been received raising the following concerns:

- inappropriate location
- overlooking/loss of privacy
- noise/light/traffic pollution
- poor visibility at entrance/exit due to hedges and existing road signs
- conflict between use of access and busy pedestrian and cycle route crossing site
- impact on traffic congestion and highway safety arising from new road markings such as a 'no waiting' box
- existence of more suitable sites e.g Middlemoor
- lack of pre-application consultation with neighbours
- incorrect site plan (since which a revised site plan has been submitted, and re consultation taken place)
- absence of tree survey/notice to landowners
- safety of visually impaired pupils
- presence of medical supplies as magnet for unsavoury/criminal behaviour
- suggestion that proposal provides opportunities for children to engage with emergency services means it goes beyond mere stationing of an ambulance and that this would exacerbate impact

### **CONSULTATIONS**

County Director of Environment, Economy and Culture - This application is to provide an ambulance dispatch point with portacabin, fence and associated works adjacent to the substation at West of England School, Topsham Road, Exeter. To meet nationally agreed response time targets this site has been identified as an ambulance dispatch point to minimise the need for ambulances to park on the highway at strategic locations in this area of the City. This dispatch point proposes to utilise the existing emergency access that serves the West of England School and College and a Western Power Distribution Sub-station. Visibility from and of emerging vehicles at the access to Topsham Road is considered adequate to accommodate the type and frequency of vehicles that the proposed use is likely to attract. It is also considered essential that the emergency access to the school and turning area are maintained unobstructed at all times in the interest of public safety and a condition to provide and maintain these facilities is recommended."

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance  
PPS1 - Delivering Sustainable Development  
PPG13 - Transport

Devon County Structure Plan 2001-2016  
ST1 - Sustainable Development  
ST10 - Exeter Principle Urban Area  
CO6 - Quality of New Development  
TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011  
T1 - Hierarchy of Modes  
DG1 - Objectives of Urban Design

## **OBSERVATIONS**

The main planning considerations in respect of this proposal relate to its visual impact, the relationship to surrounding properties and the school, and highway matters.

### Visual Impact

The site of the proposed portacabin, and associated hard standing area for the ambulance is not readily visible from public vantage points outside the school complex. It would be set largely behind an existing electricity substation and to some degree screened from view of immediately surrounding properties by vegetation. In this context the visual impact of the proposal is considered to be minimal and acceptable from a planning perspective.

### Relationship to surrounding properties

There are two main aspects to the potential impact of this development upon the amenities of the occupants on surrounding properties. These are a) the physical impact of the building itself and b) the impact of the use of the building in terms of potential overlooking and activity associated with its use.

Given the small size of the building proposed, the existing vegetation, presence of surrounding buildings, and distance of the structure from the immediate neighbouring properties it is not considered that the building would have any significant impact on those properties in terms of being overbearing or resulting in overshadowing.

Given the above it is not considered that the position of fenestration on the portacabin, or the proposed use of it, would result in any significant overlooking, and hence loss of privacy to those properties in the immediate vicinity of the site. Concerns have also been raised in the representations received about noise and light pollution associated with the use. The actual use of the structure as a rest area for ambulance staff between calls would be a low key use that is not considered likely to result in any significant light or noise pollution. Obviously there could potentially be some impact from the ambulance blue light and vehicle noise, including sirens associated with the use. However, the supporting information to the application states that all emergency vehicles using the site will be instructed not to use either the blue lamps or sirens until such time as they have reached the highway.

An external vehicle charger will also be provided within the fabric of the cabin to ensure that there will be no need for vehicle engines to be left running to charge the on-board equipment. It is considered that these measures should minimise any potential for adverse amenity impact upon residents in the immediate vicinity to a degree that the proposal is acceptable from a planning perspective.

## Highway Considerations

Concerns have been expressed about the implications of the proposal for general highway safety conditions in the locality and the safety of visually impaired students using the school access.

The proposal incorporates the provision of fencing along the access road and rear of the site to ensure that all pedestrian traffic is kept segregated from the emergency service vehicles using the site.

Concerns have been expressed in representations regarding the impact of the use on highway safety and congestion in the area. Safety concerns relate to the lack of visibility at the access onto Topsham Road due to vegetation and existing highway signage. In terms of traffic congestion the impact of the associated 'clear box' road markings on Topsham Road, in close proximity to the Countess Wear roundabout, has been questioned. The Highway Authority have provided their formal comments on the application and have concluded that the proposal is acceptable in terms of the use of the access and its potential impact on highway safety conditions in the locality.

## Southern Area Working Party (07/07/10)

Members acknowledged that the impact of the proposal on the residential amenity of surrounding occupants was likely to be minimal, but did raise concerns about the impact upon highway safety and congestion in the area. Given these concerns, and the potential lack of objection from the Highway Authority, Members felt that the application should be determined by the Planning Committee.

## Conclusion

The impact of the proposal on surrounding residential occupiers is likely to be minimal and does not justify withholding consent. In the absence of any objection from the Highway Authority it is not considered that consent should be withheld on highway safety grounds. The siting of a vehicle in this location will assist the Ambulance Service in serving the Countess Wear area and the recommendation is therefore to approve the application.

## **RECOMMENDATION**

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 9/4/2010 (*dwg. no(s) EXET-01-B241109-CSSWEIR*); 17/06/2010 (*dwg. no(s) 09-13992-03 REV B*); and 16/07/2010 (*site edged red*) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) The existing emergency access and on-site turning facility shall remain unobstructed at all times.  
**Reason -** In the interest of public safety.
- 4) No part of the development hereby approved shall be brought into use until road markings and signage have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority and Highway Authority and retained for that purpose at all times.

**Local Government (Access to Information) 1985 (as amended).  
Background papers used in compiling the report:**

Files of planning applications available for inspection from the Customer Service Centre,  
Civic Centre, Paris Street, Exeter: Telephone 01392 265223

# Agenda Item 6

**ITEM NO.** 6

**COMMITTEE DATE:** 06/09/2010

**APPLICATION NO:** 10/0648/16 EXETER CITY COUNCIL REGULATION 3

**APPLICANT:** Ms E Osmundsen  
Exeter City Council

**PROPOSAL:** Change of use from church to 9 flats and community facility, including alterations to roof to provide second floor accommodation and three storey extension on north east elevation, redevelopment of sports hall to provide two storey building comprising 4 flats, parking and associated works

**LOCATION:** Whipton Methodist Church, Brookway, Exeter, EX1 3JJ

**REGISTRATION DATE:** 28/04/2010

**EXPIRY DATE:** 28/07/2010



Scale 1:1250

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## **HISTORY OF SITE**

90/00874/03 -	Erection of garage/store	PER	07/12/1990
92/0821/03 -	Roof extension	PER	02/12/1992

## **DESCRIPTION OF SITE/PROPOSAL**

The site currently comprises a disused 1950s Methodist Church and Community Centre, including a sports hall to the rear of the site. It is set in an area characterised by 2/3 storey residential buildings. It is bordered by a stream to the east side, and the land falls off steeply to the stream, which is surrounded by dense foliage. The street boundary, to the west, is formed by railings on a low brick wall with a gated vehicle entrance to the south, and a gated pedestrian entrance to the centre of the frontage. There is a single garage located adjacent

to the sports hall and the remainder of the rear area is dedicated to parking. There are a number of mature trees within the site.

The building was originally constructed with a flat roof and a pitched roof was subsequently added in the early 1990s.

It is proposed to extend the existing church building and to create two floor levels within it. It is also proposed to replace the pitched roof with an additional flat-roofed storey. This would create a total of eight flats. One of these would be a mobility unit; the rest would be for over-55s.

The building would be faced with render, brick slips to match the existing brickwork and glass cladding panels, with a metal roof.

A room for use by the local community is proposed within the building.

All buildings and structures in the site other than the main church building are to be demolished. It is proposed to construct a new building in the approximate location of the existing sports hall comprising two 2-bedroom mobility flats and two 2-bedroom flats for over 55s above. This building would be faced with a mixture of render and timber cladding with a standing seam metal roof. The ground floor units would each have an attached carport structure.

Parking provision for 10 cars is provided at the rear of the site.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

- Planning Statement
- Design and Access Statement
- Geotechnical and Geo-environmental assessment
- Report on structural condition
- Ecology report
- Tree Survey

### **REPRESENTATIONS**

Objections: 2. Principal planning issues raised:

- Increased pressure on on-street parking
- Difficulty of manoeuvring vehicles into the site due to on-street parking.

A further letter has been received from the occupant of 28 Brookway indicating that she would be happy for the trees on her boundary adjoining the site to be removed and replaced by a fence in connection with the development.

### **CONSULTATIONS**

South West Water raises no objections.

The Environment Agency raises no objections.

The County Director of Children and Young People's Services requests a contribution towards education infrastructure.

The County Director of Environment, Economy and Culture raises no objections subject to the imposition of conditions relating to visibility splays, and the provision of access, parking and turning facilities prior to occupation.



The Head of Environmental Health Services raises no objections subject to the imposition of conditions relating to land contamination, hours of construction and demolition, noise impact assessment, noise limiters and kitchen extraction.

## **PLANNING POLICIES/POLICY GUIDANCE**

Devon County Structure Plan 2001-2016  
CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011  
AP1 - Design and Location of Development  
AP2 - Sequential Approach  
H1 - Search Sequence  
H2 - Location Priorities  
H5 - Diversity of Housing  
H6 - Affordable Housing  
H7 - Housing for Disabled People  
T2 - Accessibility Criteria  
T3 - Encouraging Use of Sustainable Modes  
T10 - Car Parking Standards  
EN2 - Contaminated Land  
DG1 - Objectives of Urban Design  
DG4 - Residential Layout and Amenity  
DG2 - Energy Conservation  
DG6 - Vehicle Circulation and Car Parking in Residential Development  
DG7 - Crime Prevention and Safety

## **OBSERVATIONS**

It is considered that the principle of conversion and extension of the church building to residential use is acceptable. Although the extension and additional storey will result in a building which has a significantly greater bulk and massing than the existing church, it would not affect the amenity of neighbours.

The proposed extension has the unfortunate effect of dominating the limited outdoor amenity space provided for the occupants. This will result in overshadowing of the space for large periods of the year, and making it a less pleasant space to use. However, the only way to address this concern would be to lose a significant part of the proposed accommodation. On balance it is concluded that this would not justify a recommendation of refusal.

Some details of the proposed conversion are considered to be unsatisfactory and are therefore the subject of ongoing discussions with the applicant's agent. In particular, the proportion of the windows in the proposed extension do not relate well to the existing elevation due to their horizontal rather than vertical emphasis. There are also concerns about the poor detailing of the down pipes, which are missing from two elevations.

The design of the proposed new build element of the scheme is considered to be acceptable. It has an acceptable relationship with the main church building and with neighbours, and would provide a good standard of amenity for the occupants. Its scale and massing are appropriate in relation to its surroundings and its contemporary design would fit in well with the more traditional residential buildings in the area. It would not be prominent within the street scene because it is behind the church.

The shared surface to the parking could potentially be better designed to reduce the extent of hard standing and create an informal 'homezone' type amenity space that provides for residents in the new flats. This is being pursued with the applicant's agent.

The ecological report submitted with the application requires provision of bird boxes and should include swift boxes within the new build/roof extension. This can be secured via a condition.

It has been suggested that the retained church tower should feature an element of public art. This is not shown on the drawings and is again the subject of ongoing discussions. It is considered appropriate to secure this by way of a condition.

The concerns of local residents about parking are not shared by the County Director of Environment, Economy and Culture. The parking provision on site is in fact in excess of the amount normally required for over-55s units, which is 25 per cent.

Nine of the proposed flats would be for over-55s and therefore an education contribution would not be expected. A contribution towards education infrastructure in the locality will be required for each of the remaining three flats.

### **NORTHERN AREA WORKING PARTY**

Members were concerned at the design and the bulky appearance of the main building, the “bulky” appearance having been caused by the extension to the church. It was felt an improvement to the design of the property could be achieved. Members supported further discussions to improve the design and noted that the application would be considered by the Planning Committee in due course.

### **SUSTAINABILITY**

The building design is based on 'Passiv-Haus' principles. A passive house is a building in which a comfortable interior climate can be maintained without active heating and cooling systems. The buildings heats and cool themselves. The principles were developed in Germany and are used to achieve the highest levels of energy efficiency and ecological design standards. Increased insulation standards, exceptional levels of air tightness and a compact building skin mean that heat losses can be reduced to a minimum resulting in a requirement for very low space heating. By choosing the best orientation for the buildings and by optimising solar gains, the energy performance of the proposed design has been improved so that a conventional heating system is not required.

### **RECOMMENDATION**

Subject to receipt and consideration of revised plans to address concerns relating to details of the external appearance of the proposed building, and to receipt of a contribution towards education infrastructure in the locality, the Head of Planning and Building Control be authorised to APPROVE the application subject to the following conditions:

**APPROVE** subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C36 - No Trees to be Felled
- 6) C37 - Replacement Planting
- 7) C38 - Trees - Temporary Fencing

- 8) C70 - Contaminated Land
- 9) Construction work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.  
**Reason:** In the interests of local amenity.
- 10) Prior to the commencement of the development, details of all external plant/machinery (such as associated with exhaust air heat pumps) including sound power levels, shall be submitted to and approved in writing by the Local Planning Authority.  
**Reason:** In the interests of local amenity.
- 11) The applicant shall undertake a noise impact assessment for this application, which shall be submitted and approved in writing prior to commencement of the development. This report shall consider the impact of noise from the development on local receptors (including those introduced by the application) and shall include noise from plant and equipment (including kitchen extraction plant and air source heat pumps) as well as noise from events. If, following the above assessment, the local planning authority concludes that noise mitigation measures are required, the applicant shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity. These measures shall be agreed in writing by the local planning authority and shall be implemented prior to and throughout the occupation of the development.  
**Reason:** In the interests of local amenity.
- 12) There shall be no amplified music, voice or tannoy system used within the community facilities unless routed through a suitable noise limiter. The noise limiter, its installation and operation shall be approved in writing prior to occupation of the development. It shall be operated and maintained as approved thereafter.  
**Reason:** In the interests of local amenity.
- 13) Details of the kitchen extraction system, including odour abatement equipment, should be submitted and approved in writing by the LPA prior to commencement of the development. The system shall be implemented, maintained and operated as agreed thereafter.  
**Reason:** In the interests of local amenity.
- 14) The flats hereby approved (other than the three flats identified as mobility units) shall only be occupied by persons over 55 years old.  
**Reason:** In accordance with the terms of the application, because the parking provision is insufficient for unrestricted occupation and because unrestricted occupation would require a contribution towards education infrastructure.
- 15) No development shall take place until a Wildlife Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.  
**Reason:** In the interests of protecting and improving existing, and creating new wildlife habitats in the area.
- 16) None of the proposed flats shall be occupied until an item of public art has been provided on the tower in accordance with details which shall first have been agreed in writing by the Local Planning Authority.  
**Reason:** In the interests of the local environment.

- 17) A visibility splay shall be provided, laid out and maintained for that purpose at the site access to Brookway where the visibility splay provides intervisibility between any points X and Y axes at a height of 0.6m above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4m and the visibility distance along the nearer edge of the carriageway of the public highway (identified as Y) shall be 25m in a northerly direction.  
**Reason:** To provide adequate visibility from and of emerging vehicles, in the interest of public safety.
- 18) No part of the development hereby approved shall be brought into its intended use and/or occupied until the access and visibility splay shall have been provided in accordance with details that shall previously have been submitted to, agreed 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 in the interest of public safety.
- 19) No part of the development hereby approved shall be brought into its intended use and/or occupied until the on-site access drive, parking and turning facilities have been provided, surfaced and marked out in accordance with the requirements of this permission and retained for those purposes at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.

**Local Government (Access to Information) 1985 (as amended).**

**Background papers used in compiling the report:**

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

# Agenda Item 7

**ITEM NO.** 7

**COMMITTEE DATE:** 06/09/2010

**APPLICATION NO:** 10/0975/38

EXTENSION TO EXTANT PLANNING  
CONSENT

**APPLICANT:**  
**PROPOSAL:**

Mr S Howard  
Redevelopment to provide 13 dwellings, parking, access to highway and associated works (approval sought of reserved matters on Ref. No. 04/0618/01 granted 14 July 2004) for siting, design, means of access and external appearance (Extension of Time on extant Planning Permission Ref No. 07/1604/02 granted 21 September 2007)

**LOCATION:**

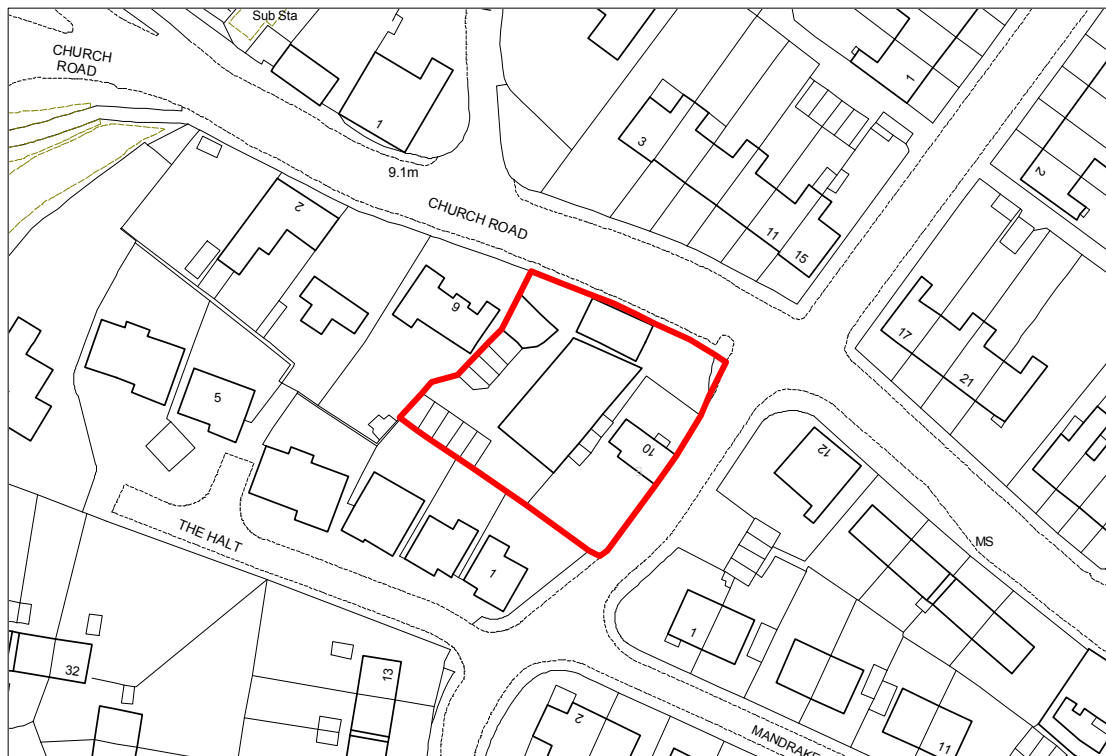
8-10 Church Road, Alphington, Exeter, EX2 8SB

**REGISTRATION DATE:**

16/06/2010

**EXPIRY DATE:**

15/09/2010



Scale 1:1250

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## **HISTORY OF SITE**

Outline planning permission was granted for residential development with all matters reserved in July 2004. A reserved matters application was refused in March 2007 on the grounds that the scheme was considered inappropriate in terms of design and materials; included inadequate landscaping along the southern boundary; inadequate visibility splays on the Church Road frontage and insufficient details in respect of Flood Risk Assessment. A further reserved matters application was approved for 13 dwellings in September 2007 which incorporated a more contemporary design which was deemed acceptable subject to condition. This application seeks to extend the period of time for a further 3 years as the current permission lapses on 21 September 2010.

## **DESCRIPTION OF SITE/PROPOSAL**

The site (0.136 ha) is at the junction of Church Road and Mill Lane in Alphington and backs onto residential development at the former Alphington Halt. The surrounding area is wholly residential in character and contains a variety of houses including two storey thatched cottages and a three storey listed building.

It is proposed to construct a two/three storey building fronting onto Mill Lane and Church Road to provide 13 two bedroomed self-contained flats. The development would be served by a total of 13 car parking spaces located to the rear and accessed from Mill Lane. In addition, this rear section includes cycle parking, a refuse storage building and communal amenity space. The existing commercial workshop/garage and the two storey cottage at No.10 Church Road will be demolished as part of the scheme.

The proposed buildings are predominantly two-storey which reflects the height of the existing buildings on this side of Church Road although a three storey element is proposed on the junction with Mill Lane.

## **REPRESENTATIONS**

One letter of objection. Principal planning issues raised:-

1. The quantity of dwelling will not feasibly fit onto the area of land;
2. The pavement is well used by school children and would not for health and safety reasons be suitable as an access road for vehicles;
3. The road is heavily used and further access would cause further congestion;
4. It is unacceptable for properties to overlook/invoke the privacy the privacy of existing dwellings, these dwellings would directly impact on privacy;
5. The local schools are at capacity.

## **CONSULTATIONS**

The Director of Environment, Economy and Culture comments that since the previous highway consultation in August 2007 the recommended visibility splay of 2.4 metres (minor road distance) by 60 metres (major road distance) in a north-westerly direction has been relaxed because of the introduction of a 20 mph speed restriction zone. A major road distance of 33 metres now applies to the splay, which can be accommodated in the existing highway area on the Church Road frontage. To accommodate the pedestrian traffic that is likely to be generated, it is still considered essential to provide a footway on the Mill Lane frontage to connect with the footway that was recently constructed on the adjacent development site at Alphington Halt. It is recommended that conditions are attached to any permission to secure the provision of the frontage footway in accordance with details to be submitted to, agreed and approved by the Local Planning Authority together with the proposed access and off-street parking facilities to be provided before the occupation of any residential unit.

The Head of Environment Health Services require conditions regarding the need for a contamination report, hours of construction, noise assessment, air quality assessment and details of refuse storage be attached if permission is granted.

The Environment Agency raise no objections to the proposed development provided that it conforms to the submitted FRA and associated addendum regarding the establishment of minimum floor levels on the site and an investigation is undertaken to account for any contamination on the site.

## **PLANNING POLICIES/POLICY GUIDANCE**

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development  
CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011

DG1 - Objectives of Urban Design  
DG4 - Residential Layout and Amenity

## **OBSERVATIONS**

The principle of the demolition of the existing cottage and commercial garage for residential development was approved in July 2004. A detailed scheme for all aspects of the proposed residential units was approved in September 2007. National Government guidance as stated in 'Greater Flexibility for Planning Permission' introduced the ability to extend the time limits for implementing planning permissions. The Guidance states that the 'measures have been introduced in order to make it easier for developers and Local Planning Authorities to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve'. The Local Planning Authority in making their decisions must focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of permission. The scheme remains identical to that approved in September 2007. Although there has been one letter of objection the issues raised were assessed at the time of the approved application. Consequently given that there has been no relevant change in policy or other material considerations since this date it is considered that this application for the extension of time for an additional three years is acceptable.

## **WESTERN AREA WORKING PARTY**

The application was presented to the WAWP on 17 August 2010. Members were made aware of the context for the application in terms of recent central Government guidance in relation to such applications and understood that there had been no local policy change to warrant a different recommendation to that previously given.

## **RECOMMENDATION**

**APPROVE** subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 10 September 2007 ( dwg nos. CD 742 LP 01 rev C; CD 742 P 30 rev C; CD 742 P 31 rev D; CD 742 P 32 rev D; CD 742 P 33 rev D; CD 742 P 34 rev B; CD 742 P 35 rev C; CD 742 P 36 rev C; CD 742 P 37 rev C; CD 742 P 38 rev D & CD 742 SP 09 rev D), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) C35 - Landscape Scheme
- 6) C37 - Replacement Planting

- 7) C70 - Contaminated Land
- 8) C72 - Highway - Estate Roads etc
- 9) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
  - a) windows to include materials, means of opening, reveals, cills and headers;
  - b) external doors;
  - c) rainwater goods;
  - d) lighting;
  - e) treatment of boundaries;
  - f) refuse storage;
  - g) hours of construction and location of site compound;
  - h) noise assessment;
  - i) air quality assessment.

**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 10) No part of the development hereby approved shall be occupied until the on-site parking and turning facilities have been provided, surfaced and marked out in accordance with the requirements of this permission and retained for those purposes at all times.
 

**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 11) The lowest floor level in the completed buildings shall not be less than 10.85m above ordnance datum.
 

**Reason:** To comply with the requirements of the Environment Agency.
- 12) C57 - Archaeological Recording
- 13) No part of the development hereby approved shall be occupied until the access, visibility splays and footway on the Mill Lane frontage have been provided in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes at all times.
 

**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 14) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for the construction period.
 

**Reason:** In the interests of public safety and to minimise obstruction of and damage to the adjoining highway.

**Local Government (Access to Information) 1985 (as amended).**

**Background papers used in compiling the report:**

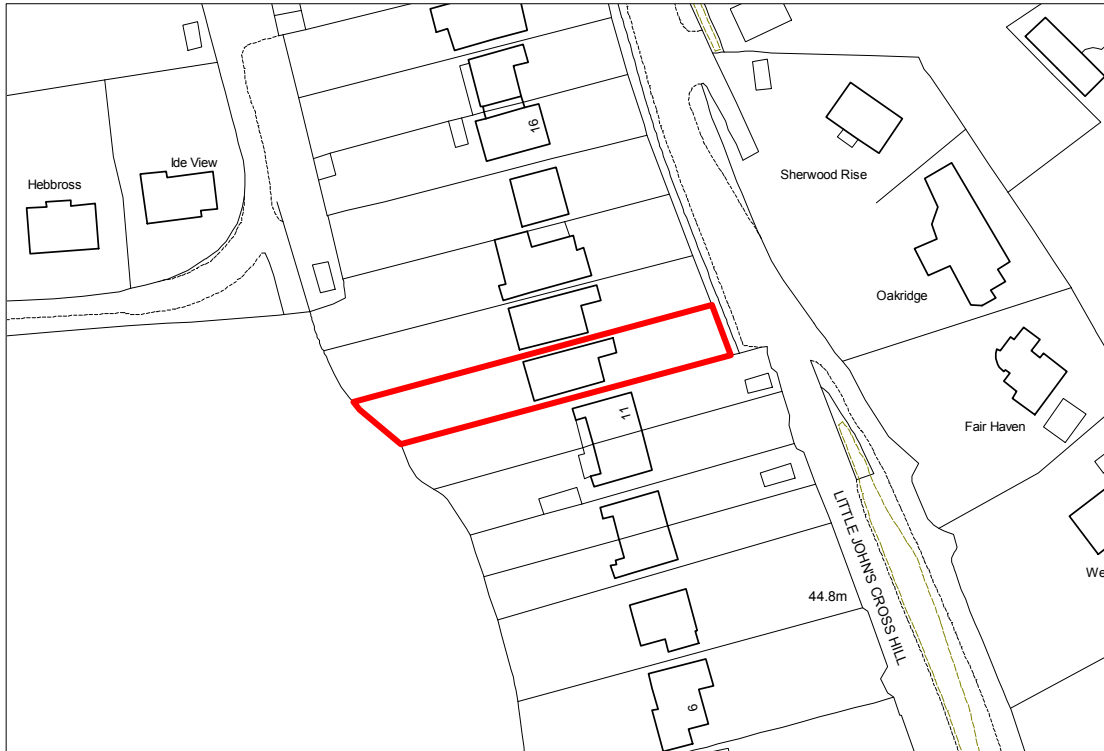
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**ITEM NO.** 8

**COMMITTEE DATE:** 06/09/2010

**APPLICATION NO:** 10/1161/03      **FULL PLANNING PERMISSION**  
**APPLICANT:** Mr L Dart  
**PROPOSAL:** Ground floor extension on east elevation and increase in roof height to provide additional living accommodation  
**LOCATION:** 12 Little Johns Cross Hill, Exeter, EX2 9PJ  
**REGISTRATION DATE:** 12/07/2010  
**EXPIRY DATE:** 06/09/2010



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**HISTORY OF SITE**

10/0295/03 - Extension to front of existing house and raising of existing roof to provide habitable accommodation within roof space. REF 27/04/2010

**DESCRIPTION OF SITE/PROPOSAL**

12 Little John's Cross Hill is located within the Alphin Brook Conservation Area. Little John's Cross Hill rises up the valley in a northerly direction through a deep cleave which opens out at the brow of the hill where the houses are succeeded by a row of bungalows which line the western side of the road. 12 Little John's Cross Hill is the first bungalow in the stretch and is adjacent to the Edwardian row of semi-detached dwellings which are highlighted in the Conservation Area Appraisal as having a neutral impact upon the character of the area. The row of bungalows are indicated as not making a positive contribution to the Conservation Area. However, the group of bungalows are similar in design and scale and are discrete and modest in the streetscene.

Like the other bungalows, No. 12 is situated within a narrow but lengthy plot with the depth of the existing bungalow also far exceeding the width. The property is set well back from the

road frontage and benefits from an integral garage with associated access point and drive off Little John's Cross Hill. There is pedestrian access either side of the property and a large amount of enclosed private amenity space to the rear. The property has a hipped roof which fronts the road and a tile and red-brick finish. The existing garage dominates the front elevation due to the lack of a front entrance point and by reason that it is set forward of the rest of the property. The property sits above road level with the front amenity space and access drive sloping down towards road level.

This application seeks to gain permission to bring the building forward to be nearly in line with front building line of the garage. This would provide additional accommodation at ground floor level in the form of an extended living room which would be served by a three paned casement window. In addition, at ground floor level, the garage would be converted to provide a utility area. This would see the removal of the garage door and the insertion of a double paned casement window. The main part of the proposal is to create a first floor level of accommodation and in order to achieve sufficient head height the roof will be lifted by approximately 1.4 metres when measured from the central ridge. This additional height would be achieved by the insertion of a number of additional brick courses around the property. The originally submitted proposal showed the roof extension to include the introduction of a gable end on both the front and the rear elevations. Following concerns about the additional bulk that this would add to the rear, the proposal to be determined is for a gable end at the front and a hipped roof on the rear of the property, in accordance with the revised plans submitted. The gable end will have a render finish although the extension will in all other parts have a brick finish.

The first floor level of accommodation will be served by seven roof lights, three on each side and one to the rear. These would be double paned rooflights. On the gable end there would be a double paned casement window.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The application is supported by a combined Conservation / Design Statement. This statement is relatively brief with regard to its justification for the proposal. However, it does highlight that the garage door has been removed following previous comments regarding the visual appearance of the front elevation. It also draws attention to the natural step in roof profile from the two-storey dwelling to the single storey bungalows that the proposal provides.

### **REPRESENTATIONS**

Three letters of objection have been received with regard to the initial scheme which included the gable end to the rear of the property. The revised scheme is currently under consultation and responses will be verbally reported to the Committee.

The three letters of objection received share a number of concerns. The main issues are the visual impact of the proposal on the character and appearance of the streetscene and thus the Conservation Area and the impact that the proposal would have on the amenity of neighbouring residents. With regard to the impact upon amenity the main concerns are the loss of light to neighbouring properties and loss of privacy.

### **CONSULTATIONS**

The Head of Environmental Health comments that construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays

### **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance

Devon County Structure Plan 2001-2016  
CO6 - Quality of New Development  
CO7 - Historic Settlements and Buildings

Exeter Local Plan First Review 1995-2011  
C1 - Conservation Areas  
DG1 - Objectives of Urban Design  
DG4 - Residential Layout and Amenity

Exeter City Council Supplementary Planning Document  
Householder's Guide to Extension Design (adopted 16 September 2008)  
Alphin Brook Conservation Area Appraisal and Management Plan (February 2009)

## **OBSERVATIONS**

Although highlighted in the appraisal as not making a positive contribution to the character of the designated area, no. 12, in association with the rest of the bungalows which line the western side of the road, do have a certain character and appearance which is strengthened by a degree of similarity in regard to their scale and massing and their position within the street. Several of the properties have dormer windows of varying forms. However, none set a precedent which the Authority would wish to see replicated. No. 12 is adjacent to the two-storey semi-detached properties and this factor coupled with the natural gradient of the road, does give scope to the principle of a small increase in the roof height to achieve an additional level of accommodation. During the course of pre-application discussions, it was indicated that an increase in the height could be favourable given the above. This was providing a suitable design could be achieved, which sought to enhance the appearance of the property and its contribution to the area and which allowed for the preservation of the streetscene. It was considered that the existing front elevation which has no focal point and which is dominated by the garage would need to be enhanced rather than preserved given that the proposed changes would effectively increase the prominence and scale of the front elevation. During the course of determining the previous application Committee Members were also of the opinion that in principle the property could be extended but, the proposed design was poor and did not serve to enhance the appearance of the property or the wider area.

There are two elements to the proposal: the raising of the roof and how this is presented, and the treatment of the front elevation. These two elements are clearly linked. Following the previous refusal the Agent has sought to improve the handling of the front elevation. The rendered area ties in comfortably with that on the neighbouring two-storey dwelling giving a characteristic link whilst not appearing contrived as the previous rendered band did. The proposed fenestration provides an improved visual presentation which is aided by the removal of the garage door which was a dominating element on this elevation. The inclusion of timber casements will ensure that the windows have sympathetic proportions and will not appear too weighty. The brick course detailing above the windows will again provide some form of visual interest and thus it is considered on balance, that the appearance of the front gable will sustain the existing character and appearance of the Conservation Area.

The proposed development site is long and narrow and thus the building sits close to its boundaries and close to neighbouring properties. The neighbouring residents have raised concerns regarding the proposal. The concerns relate to the loss of light from habitable rooms and the potential loss of privacy. Having visited the neighbouring properties numbers 13 and 14 Little John's Cross Hill, these concerns are understood. The originally proposed gable end would have included a window in the rear elevation which could have led to an element of overlooking of the rear amenity space associated with these properties. The removal of the gable end addresses these concerns as the first floor accommodation proposed would be served by rooflights only, and it is not considered that these would afford

views into neighbouring properties which would be any worse than potential views which could be gained by adding rooflights to the roof of the existing building.

The neighbour at No.13 has expressed concern regarding the loss of light to a bedroom which has a single aspect to the applicants property and, to a lesser degree, the main bedroom which aspects to the front. It is considered that the impact on the main (front) bedroom would be minimal but it is acknowledged that there will be some loss of light to the second bedroom. However it is not considered that this impact would not be sufficient to justify refusing the application.

The previous application was refused not because of the principle of the extension but because of the awkward way in which it was handled from a design perspective. It is considered that the current proposal is more sympathetic to the existing character of the building and streetscene. It is also considered that the removal of the rear gable end reduces the bulk proposed and removes the potential for direct over looking of the private rear amenity space of neighbouring residents. It is considered that obscure glazing could be applied to the roof lights in order to ensure privacy levels are maintained. With regard to the loss of light and overshadowing it is acknowledged that there will be an impact. However, it is considered that on balance it is not sufficient to warrant a refusal.

It is considered that the proposal is in accordance with Local Plan Policies C1, DG1 and DG4 which seek to secure developments which harmonise with the scale, massing and design of the original house and which ensure the preservation if not enhancement of the character and appearance of designated Conservation Areas as well as protecting amenity levels.

### **WESTERN AREA WORKING PARTY**

The application was presented to the WAWP on 17 August 2010 and it was recommended by officers that given the letters of objection received, a site inspection should be undertaken. Members of the WAWP agreed.

### **SITE INSPECTION PANEL**

The Site Inspection Panel viewed the impact of the proposal on the streetscene and the character of the conservation area and acknowledged the improvements to the front elevation. The neighbouring property was also visited in order to assess the impact of the proposal on the light levels in the bedrooms.

### **RECOMMENDATION**

**APPROVE** subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 12 July 2010 together with the site location plan and drawings numbered and two drawings numbered 09013L02.01 Revision A and 09013L04.01 Revision A, as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) The rooflights to serve the hereby approved roof extension shall be obscure glazed, details of which shall be submitted to and approved in writing by the Local Planning Authority and retained there after in accordance with these approved details.  
**Reason:** To protect the amenity levels of neighbouring residents in terms of privacy.

- 5) The timber casements shall receive a painted finish within one month of installation unless otherwise agreed and approved in writing by the Local Planning Authority.  
**Reason:** To protect the character and appearance of the Conservation Area.
- 6) Prior to the commencement of the Development hereby approved, full details of all joinery shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with these approved plans.  
**Reason:** To protect the character and appearance of the Conservation Area.
- 7) Construction/demolition work shall not take place outside the following times of 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.  
**Reason:** To protect the amenity of neighbouring residents.
- 8) Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 or any Order revoking and re-enacting that Order, no alterations shall be made to the front elevation of the dwelling shall be made without the formal consent of the Local Planning Authority.  
**Reason:** In order to protect the visual amenity of the surrounding area.

**Local Government (Access to Information) 1985 (as amended).**

**Background papers used in compiling the report:**

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

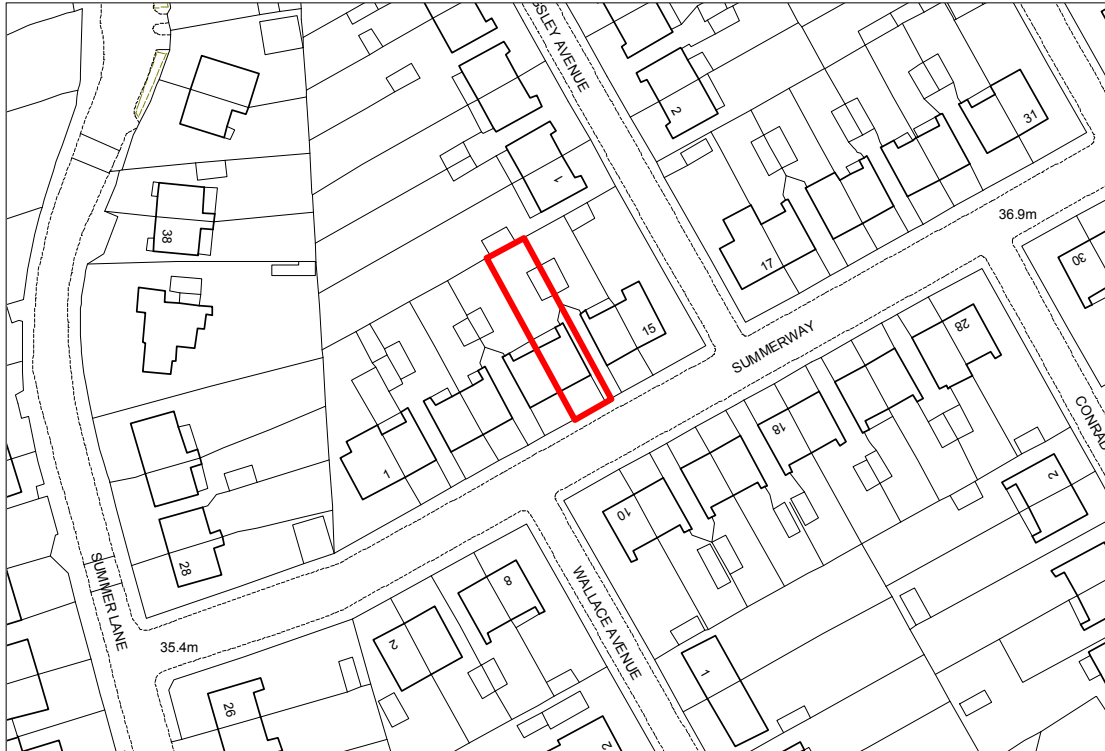
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# Agenda Item 9

**ITEM NO.** 9

**COMMITTEE DATE:** 06/09/2010

**APPLICATION NO:** 10/1050/03 FULL PLANNING PERMISSION  
**APPLICANT:** Mr M Davies  
**PROPOSAL:** Detached garage on north east boundary of rear garden  
**LOCATION:** 11 Summerway, Exeter, EX4 8DA  
**REGISTRATION DATE:** 06/07/2010  
**EXPIRY DATE:** 31/08/2010



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## **HISTORY OF SITE**

- |               |  |            |
|---------------|--|------------|
| 97/00489/03 - | Single-storey rear extension (involves removal of existing conservatory) and provision of pitched roof to garage | 18/07/1997 |
| 10/1050/03 -  | Detached garage on north east boundary of rear garden  |            |

## **BACKGROUND**

In accordance with the terms of the Scheme of Delegation to the Head of Planning and Building Control, this application is being reported to the Planning Committee because the applicant is a member of staff.

## **DESCRIPTION OF SITE/PROPOSAL**

11 Summerway is a semi-detached residential property located in Pinhoe. The property is neither a listed building or within a designated conservation area. In appearance the property sits comfortably in context mirroring the character and appearance of neighbouring units. The property is south-east facing and benefits from a small front garden set behind a small brick wall. At the rear an established garden slopes upwards in a north-westerly direction. Within the rear garden there is a detached flat roof garage.

Planning Permission is sought for a replacement garage. The replacement garage has been designed to measure approximately 9.00 metres in length, 3.10 metres in width and 3.70 metres in height. Whilst the proposed garage is longer than the existing, the most fundamental difference between the proposed and the existing concerns itself with the incorporation of a pitched roof. With regard to materials the applicant has indicated that matching materials to those evident throughout the host building, namely facing brick and manufactured slate, will be used.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The application is accompanied with photographs of existing garages in the immediate vicinity.

### **REPRESENTATIONS**

No representations have been received.

### **CONSULTATIONS**

The Environment Agency provide no comments.  
South West Water raise no objection to the proposed development.

### **PLANNING POLICIES/POLICY GUIDANCE**

Devon County Structure Plan 2001-2016  
CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011  
DG1 - Objectives of Urban Design  
DG4 - Residential Layout and Amenity

Exeter City Council Supplementary Planning Document  
Householder's Guide to Extension Design (adopted 16 September 2008)

### **OBSERVATIONS**

There are three issues that need to be taken into consideration with regard to the proposed development. The first issue relates to the impact of the proposed development on the character and appearance of the host building. The second issue concerns itself with the impact on the proposed development on the streetscene whilst the final issue relates to the impact of the proposed development on the level of residential amenity currently enjoyed by neighbouring properties.

With regard to the first issue the proposed development sits comfortably in context. The proposed design which incorporates a pitched roof has an improved sense of uniformity with the host building. The use of matching materials to those already used throughout the main house is also beneficial. The proposed garage is larger than the existing structure however the majority of the additional length is located away from the host building towards the rear of the garden which is important as it ensures the existing gap between the main house and the front of the garage is maintained. The proposed development successfully protects the integrity of the main house.

The second issue relates to the impact of the proposed development on the streetscene. From the street itself the proposed development will have no harm. Whilst a glimpse of the garage will be available between houses, the rear gardens retain a large degree of privacy and screening. The garage will be visible from the rear of adjacent properties. However structures such as the one proposed are common throughout the immediate vicinity. The proposed development would appear to follow an established design ensuring the proposed garage will not appear incongruous.

The final issue that needs to be taken into consideration is the impact of the proposed development on existing amenity levels currently enjoyed by neighbouring units. As indicated



earlier in this report the proposed structure is larger than the existing garage. The main concern identified as a result in this increase in size relates to additional height and whether the additional height will be overbearing in context or result in loss of light or overshadowing. Given the orientation of the proposed garage and its relationship with the neighbouring garage it is not anticipated that the proposed development will have a detrimental impact. Two rooflights are proposed as well as three traditional windows. By reason of their siting the inclusion of such features will not result in overlooking. Whilst the Local Planning Authority acknowledge that the proposed garage will be more prominent it is not felt this will result in a reduction of residential amenity. The impact of any additional bulk is compensated by the level of outlook enjoyed by No's. 9 and 13 at the rear.

#### **NORTHERN AREA WORKING PARTY**

Members were advised that the application would be presented at Planning Committee by virtue of the fact that the applicant is an employee of the Local Authority (16/08/2010).

#### **RECOMMENDATION**

**APPROVE** subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on the 28 June 2010 and 6 July 2010, as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.  
**Reason:** To ensure that the materials conform with the visual amenity requirements of the area.

#### **Local Government (Access to Information) 1985 (as amended).**

##### **Background papers used in compiling the report:**

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

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## EXETER CITY COUNCIL

### PLANNING COMMITTEE 6 SEPTEMBER 2010

#### OBJECTIONS TO TREE PRESERVATION ORDER NO. 621 (BRIDGE END, 39 ELM GROVE ROAD, TOPSHAM, EXETER) 2010

#### 1. PURPOSE OF REPORT

- 1.1 This report gives details of an objection that has been received by the Council to Exeter City Council Tree Preservation Order No. 621 (Bridge End, 39 Elm Grove Road, Topsham, Exeter) 2010. The Committee is requested to determine whether to confirm, modify or refuse to confirm the Order. If an Order is confirmed (with or without modification) the protection that it provides becomes permanent but if it is not confirmed it ceases to have effect.

#### 2. BACKGROUND

- 2.1 Tree Preservation Order No. 621 protects a Douglas Fir tree in the front garden area of Bridge End, 39 Elm Grove Road, Topsham, Exeter.
- 2.2 Tree Preservation Order No. 621 was made following the receipt of a Section 211 notification to fell the tree.
- 2.3 The Order was signed on 17 June 2010 and remains in force for a period of six months. If the Order is confirmed the protection becomes permanent, if the Order is not confirmed it ceases to have effect.

#### 3. POINTS RAISED BY OBJECTORS

- 3.1 Three letters of objection have been received, one from the owner of the property and two from the neighbouring properties.
- 3.2 The objection from the owner can be summarised as follows:
- It casts huge shadows over the house and garden and neighbours.
  - Estimated to be 80ft tall. Douglas Firs in Scotland reach over 200ft tall and could exceed that in the warm Devon climate.
  - Canopy so large that branches hang over roof of extension and garages on other side.
  - It sheds large amount of needles which block gutters, downpipes and drains. Cellar had 1½ inches of water in it due to blockages.
  - It is possible that roots have reached the cellar as there are cracks appearing in the walls.
  - Douglas Firs are shallow rooted which is why they are planted in groups. The windage (exposure to wind) from the tree is massive and will continue as tree grows taller. If it fell the chance of damage to property is inevitable and loss of life possible.
  - It sheds branches large enough to damage property and a branch has gone through neighbouring garage roof in recent years.

- Do not consider it to be of high amenity value. It is not of amenity value to local wildlife.
- A replacement tree would be planted if permission is given to fell the tree.
- Tree sticks out like a sore thumb, has been crown lifted and topped.
- It is not a native species.

The objections from the neighbouring properties reiterate the ones from the owner.

3.3 The objection is supported by a letter written by Mr D Hughes a Chartered Engineer. The letter clearly states no detailed investigations were undertaken regarding the relationship between the tree and the adjacent property, with regard to any implications the tree may or may not have on the alleged damaged to the property some 10m distant. The letter inexplicably concludes “the visible damage to the fabric of the extension is most likely due to the physical growth of the trees root”. It is the Council view that such a statement cannot be considered credible without proper and robust investigations being undertaken.

3.4 In addition to the above, a letter from Mr S Wreford of Clyst Tree Care has been submitted. The letter confirms the tree is in good health. It makes a generic statement regarding Douglas fir trees that they tend to drop branches in high winds and weakness can develop around old pruning cuts. The above statements are correct and apply to any tree, the statements in no way justify the removal of the tree.

#### **4. OBSERVATIONS**

- 4.1
- The property stands within a large plot, while the tree cast shadows during the day over various parts of the garden, the size of the garden ensures a large proportion is always unaffected by shade at any given time.
  - There is no possibility of the tree reaching or exceeding the height of 200ft owing to the exposed nature of the site.
  - The council would not refuse any reasonable request for tree work in the interest of safety, or where direct damage is occurring as a result of increment growth of the tree.
  - All trees discard leaves and other debris as part of their natural processes, therefore a tree cannot be excluded from a Tree Preservation Order for this reason.
  - No evidence has been provided that the roots have reached the cellar.
  - No evidence has been provided that the tree is unstable.
  - The tree has a high amenity value being visible from the surrounding area and roads.
  - If the Order is not confirmed the Council cannot enforce the planting of a replacement tree.
  - A non-native tree can provide significant amenity benefits and therefore the source of origin provides no justification for its removal.

4.2 Members at the Southern Area Working Party on 18 August were not convinced of the contribution the tree makes to public amenity and did not support confirmation of the Order.

## **5. RECOMMENDATION**

- 5.1 It is recommended that the Order be confirmed.

**RICHARD SHORT  
HEAD OF PLANNING AND BUILDING CONTROL**

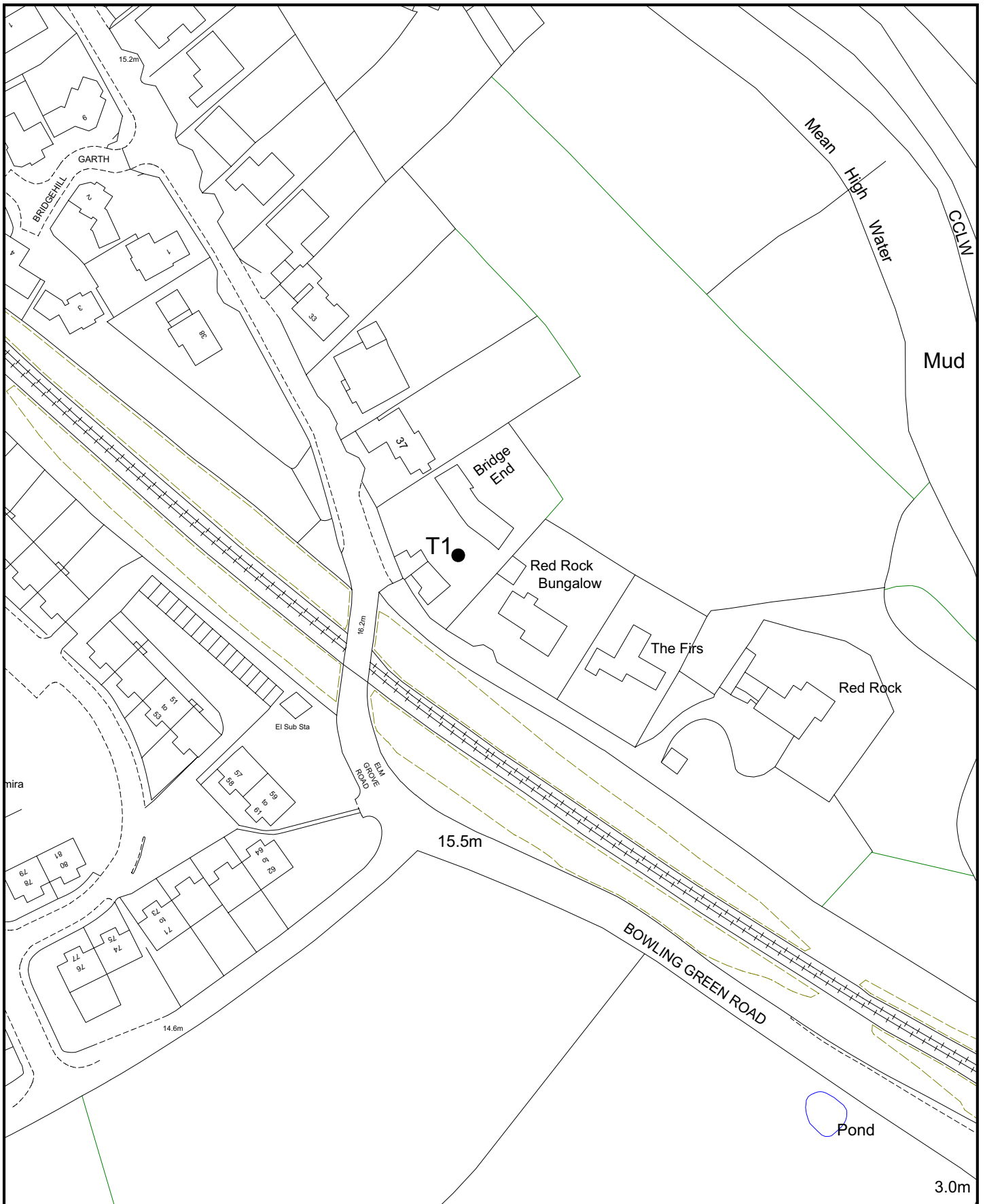
**ECONOMY AND DEVELOPMENT DIRECTORATE**

**Local Government (Access to Information) Act 1985 (as amended)**

**Background papers used in compiling this report:**

1. Council to Exeter City Council Tree Preservation Order No 621 (Bridge End, 39 Elm Grove Road, Topsham, Exeter) 2010

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17/06/2010

**EXETER CITY COUNCIL TREE PRESERVATION ORDER 621  
(Bridge End, 39 Elm Grove Road, Topsham, Exeter) 2010**

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## EXETER CITY COUNCIL

### PLANNING COMMITTEE 6 SEPTEMBER 2010

#### OBJECTIONS TO TREE PRESERVATION ORDER NO. 619 (PARKFIELD HOUSE, HOLMAN WAY, TOPSHAM, EXETER) 2010

#### 1. PURPOSE OF REPORT

- 1.1 This report gives details of objections that have been received by the Council to Exeter City Council Tree Preservation Order No. 619 (Parkfield House, Holman Way, Topsham, Exeter) 2010. The Committee is requested to determine whether to confirm, modify or refuse to confirm the Order. If an Order is confirmed (with or without modification) the protection that it provides becomes permanent but if it is not confirmed it ceases to have effect.

#### 2. BACKGROUND

- 2.1 Tree Preservation Order No. 619 protects a Thuja tree in the garden Parkfield House, Holman Way, Topsham, Exeter.
- 2.2 Tree Preservation Order No. 619 was made following the receipt of a Section 211 notification to fell the tree.
- 2.3 The Order was signed on 10 May 2010 and remains in force for a period of six months. If the Order is confirmed the protection becomes permanent, if the Order is not confirmed it ceases to have effect.

#### 3. POINTS RAISED BY THE OBJECTORS

- 3.1 Two letters of objection have been received.
- 3.2 The objection from the owner can be summarised as follows:
- The tree is overshadowing the rest of the garden to the detriment of the plants there.
- 3.3 An objection received from a neighbour can be summarised as follows:
- No desire to see the tree preserved and do not object to its removal.

#### 4. OBSERVATIONS

- 4.1
- The tree is situated in a large garden and while the tree cast shadows during the day, the size of the garden ensures a large proportion is always unaffected by shade at any given time.
  - The tree is situated behind the wall fronting Holman Way and is clearly visible. It has visual amenity value and is an important feature in the streetscene and as part of the conservation area.

4.2 At the Southern Area Working Party on 18 August 2010 Members agreed to support the officer recommendation to confirm the Order.

**5. RECOMMENDATION**

5.1 It is recommended that the Order be confirmed.

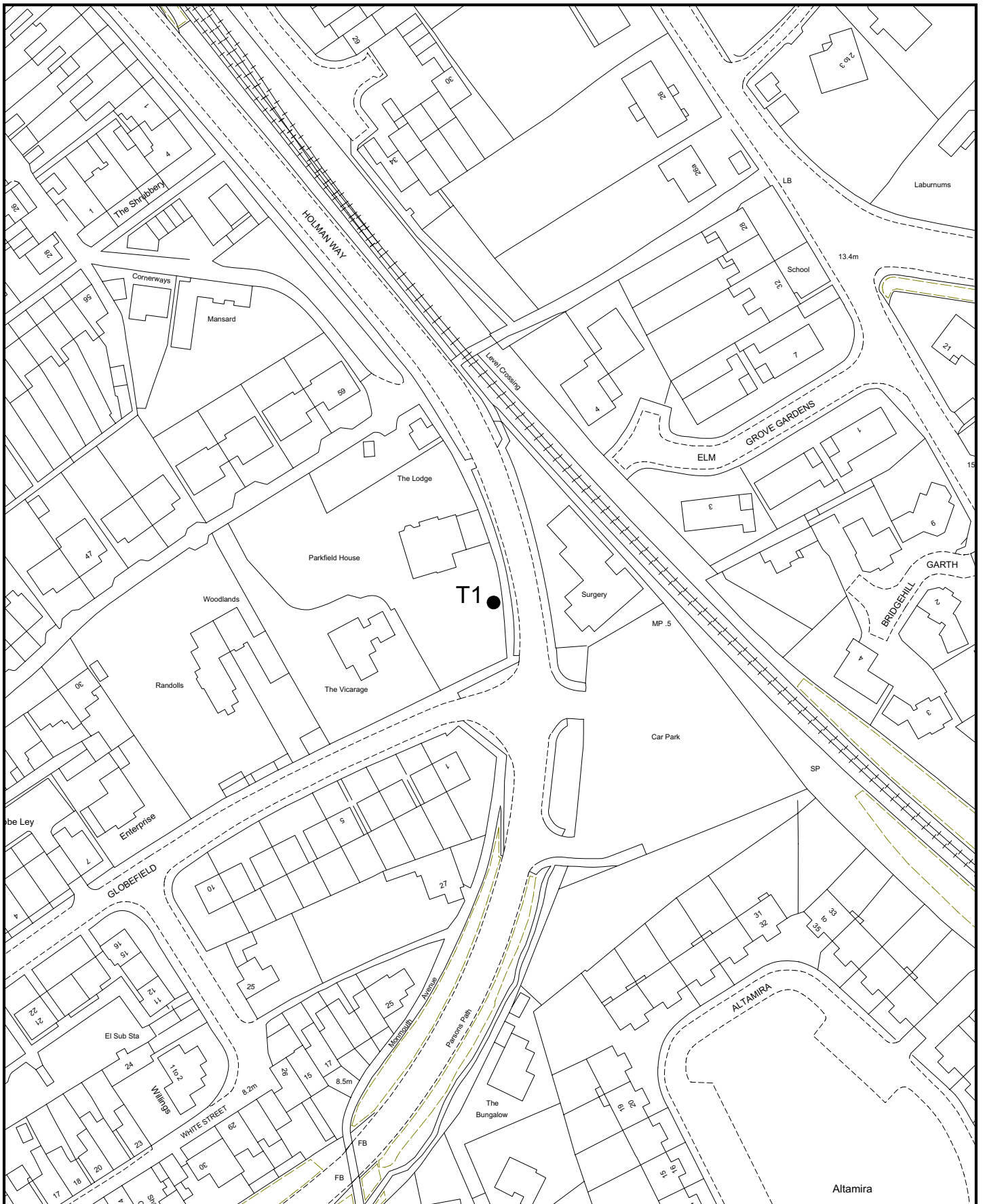
**RICHARD SHORT  
HEAD OF PLANNING AND BUILDING CONTROL**

**ECONOMY AND DEVELOPMENT DIRECTORATE**

**Local Government (Access to Information) Act 1985 (as amended)**

**Background papers used in compiling this report:**

1. Council to Exeter City Council Tree Preservation Order No 619 (Parkfield House, Holman Way, Topsham, Exeter) 2010.



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10/05/2010

**EXETER CITY COUNCIL TREE PRESERVATION ORDER 619  
(Parkfield House, Holman Way, Topsham, Exeter) 2010**

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**EXETER CITY COUNCIL  
PLANNING COMMITTEE  
6<sup>th</sup> September 2010**

**PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND  
WITHDRAWN APPLICATIONS**

**1 PURPOSE OF REPORT**

- 1.1 This report lists planning applications determined under delegated powers and applications that have been withdrawn between the date of finalising the agenda of the last Planning Committee and the date of finalising this agenda. Applications are listed by ward.
- 1.2 The latter part of the application reference number indicates the following type of application:
- 01 Outline Planning Permission
  - 02 Approval of Reserved Matters
  - 03 Full Planning Permission
  - 04 Works to Tree(s) with Preservation Order
  - 05 Advertisement Consent
  - 06 Works to Tree(s) in Conservation Area
  - 07 Listed Building Consent
  - 08 Circular 18/84
  - 14 Demolition in Conservation Area
  - 16 Exeter City Council Regulation 3
  - 17 Lawfulness of Existing Use/Development
  - 18 Certificate of Proposed Use/Development
  - 21 Telecommunication Apparatus Determination
  - 25 County Matter Application
  - 26 Devon County Council Application
  - 27 Modification and Discharge of Planning Obligation Regulations
- 1.3 The decision type uses the following codes
- DTD Declined To Determine
  - NLU Was Not Lawful Use
  - PAN Prior Approval Not Required
  - PAR Prior Approval Required
  - PER Permitted
  - REF Refuse Planning Permission
  - RNO Raise No Objection
  - ROB Raise Objections
  - SPL Split Decision
  - WDN Withdrawn by Applicant
  - WLU Was Lawful Use
  - WTD Withdrawn - Appeal against non-determination
- 1.4 Members are requested to advise the Development Manager (Andy Robbins) or Head of Planning and Building Control (Richard Short) of any questions on the schedule prior to the meeting of the Planning Committee.

**2. RECOMMENDATION**

- 2.1 That this report be noted.

**RICHARD SHORT  
HEAD OF PLANNING AND BUILDING CONTROL**

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**Exeter City Council**

**9/6/2010**

**Planning Decisions Made Under Delegated Powers and  
Withdrawn Applications Between 7/15/2010 and 8/24/2010**

**ALPHINGTON**

---

**Application Number:** 10/0582/05                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/28/2010  
**Location:**                      14a, Marsh Barton Road, Marsh Barton Trading Estate, Exeter, EX2 8NT  
**Proposal:**                      Internally illuminated fascia sign on south elevation, two internally illuminated fascia signs and internally illuminated entrance feature on east elevation, internally illuminated (1) and non illuminated (1) free standing signs on east boundary and 4 non illuminated free standing car park signs

---

**Application Number:** 10/0936/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/3/2010 0  
**Location:**                      29 Ide Lane, Exeter, EX2 8UR  
**Proposal:**                      Change of use from chiropody surgery to additional residential accommodation

---

**Application Number:** 10/0641/03                      **Working Party Date:** 7/6/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      Plot M, Silvertown Road, Matford Park, Exeter, EX2 8FS  
**Proposal:**                      Temporary change of use to vehicle holding compound and associated works

---

**Application Number:** 10/0848/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/11/2010  
**Location:**                      62 Haven Road, Exeter, EX2 8DP  
**Proposal:**                      Door on north west elevation of store area

---

**Application Number:** 10/1005/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/11/2010  
**Location:**                      21 Shelley Close, Exeter, EX2 9JS  
**Proposal:**                      Conservatory on west elevation

---

**Application Number:** 10/0864/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/13/2010  
**Location:**                      14 Trusham Road, Marsh Barton Trading Estate, Exeter, EX2 8QG  
**Proposal:**                      Extension to provide covered parking, with roof lights, on south west elevation and additional door and window to existing building on south elevation.

---

**Application Number:** 10/1205/37                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/16/2010  
**Location:**                      J Sainsbury Plc, Alphington Cross Store, Alphington Road, Exeter, EX2 8NH  
**Proposal:**                      Relocation of recycling centre to north west corner of car park, right turn lane on internal car park access road, extended glazing and solar shading at first floor level on west side of extension, canopy to groceries on-line loading area, blocking doorway on east elevation and new fire door on north elevation (Non Material Minor Amendments Ref No. 09/0629/01 granted 25 January 2010)

---

**Application Number:** 10/0973/05                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/18/2010  
**Location:**                      32 Marsh Green Road West, Marsh Barton Trading Estate, Exeter, EX2 8PN  
**Proposal:**                      Non-illuminated pole mounted sign on south boundary

---

**Application Number:** 10/1126/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/18/2010  
**Location:**                      J Sainsbury Plc, Alphington Cross Store, Alphington Road, Exeter, EX2 8NH  
**Proposal:**                      Ground floor extension to existing entrance lobby on south west elevation.

---

**Application Number:** 10/1156/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/18/2010  
**Location:**                      32 Marsh Green Road West, Marsh Barton Trading Estate, Exeter, EX2 8PN  
**Proposal:**                      Provision of four temporary portakabins within carpark

---

**Application Number:** 10/0818/03                      **Working Party Date:** 7/6/2010 00  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      8/23/2010  
**Location:**                      Land bounded by Alphington Road, Ashton Road and, Marsh Barton Road, Exeter, EX2  
**Proposal:**                      Change of use from car park to hand car wash.



---

**Application Number:** 10/3079/04                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/15/2010  
**Location:**                      Cowick Barton Playing Fields, Barton Road, Exeter, EX2  
**Proposal:**                      Tree no.    Species    Work  
   T1            Oak            Crown lift on side of 47 Newhayes Close to give 2-3m  
   clearance from building

---

**Application Number:** 10/0715/03                      **Working Party Date:** 6/8/2010 00  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      7/16/2010  
**Location:**                      Crocker Court, Tan Lane, Exeter, EX2 8EY  
**Proposal:**                      Change of use from carport to self contained flat and ground floor extension on  
   north elevation

## COWICK

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**Application Number:** 10/0722/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      7/21/2010  
**Location:**                      66 Broadway, Exeter, EX2 9LY  
**Proposal:**                      Ground floor extension on north east elevation (Certificate of Lawfulness of  
   Proposed Development)

---

**Application Number:** 10/0917/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/26/2010  
**Location:**                      Former Crossmead Conference Centre, Barley Lane, Exeter, EX4 1TF  
**Proposal:**                      Erection of cycle stores (2) adjacent to south east elevation of apartment block 1  
   and (1) adjacent to south east elevation of apartment block 2. PV solar panels on  
   roof of apartment blocks 1 and 2 on south east elevation and on roof of plot  
   49-54 south east elevation.

---

**Application Number:** 10/0583/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/27/2010  
**Location:**                      72a, Barley Farm Road, Exeter, EX4 1NW  
**Proposal:**                      Replacement windows (5) on first floor of west and east elevations and door on  
   east elevation

---

**Application Number:** 10/0837/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/29/2010  
**Location:**                      141 Merrivale Road, Exeter, EX4 1PW  
**Proposal:**                      Application of brick cladding on all elevations and ground floor extension on east  
   elevation

---

**Application Number:** 10/0838/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/29/2010  
**Location:**                      2 Myrtle Road, Exeter, EX4 1PZ  
**Proposal:**                      Application of brick cladding on all elevations and ground floor extension on north east elevation

---

**Application Number:** 10/0839/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/29/2010  
**Location:**                      39 Oak Road, Exeter, EX4 1QB  
**Proposal:**                      Application of brick cladding on all elevations and ground floor extension on south east elevation

---

**Application Number:** 10/0840/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/29/2010  
**Location:**                      135 Merrivale Road, Exeter, EX4 1PW  
**Proposal:**                      Application of brick cladding on all elevations and ground floor extension on east elevation

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**Application Number:** 10/0941/03                      **Working Party Date:** 7/6/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      7/29/2010  
**Location:**                      Ward Block, Franklyn Hospital, Franklyn Drive, Exeter, EX2 9HS  
**Proposal:**                      Single storey extension to north elevation to include patio area and other alterations.

---

**Application Number:** 10/0976/03                      **Working Party Date:**  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      8/5/2010 0  
**Location:**                      20 Franklyn Close, Exeter, EX2 9LX  
**Proposal:**                      Ground floor extension on north west elevation.

---

**Application Number:** 10/3080/04                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/6/2010 0  
**Location:**                      Barley Lane School, Barley Lane, Exeter, EX4 1TA  
**Proposal:**

Tree no.	Species	Work
A1/T1	Holm Oak	Fell trunk overhanging road
A1/T2	Sycamore	Remove branch interfering with overhead cables
A2/T1	Ash	Fell
T1	Monterey Pine	Remove one branch overhanging building

The work to remove dead wood in the Monterey Pines, remove the dead elm trees and fell the sycamore is all exempt and has not been included in the application.

---

**Application Number:** 10/1006/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/11/2010  
**Location:**                      44 Merrivale Road, Exeter, EX4 1PX  
**Proposal:**                      Refurbishment and alterations to existing dwelling, including replacement porch canopy on south east elevation and application of brick cladding to all elevations.

---

**Application Number:** 10/0986/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/16/2010  
**Location:**                      24 Parkway, Exeter, EX2 9NF  
**Proposal:**                      Single storey extension on the north east elevation and other internal works.

---

**Application Number:** 10/1010/03                      **Working Party Date:** 8/17/2010 0  
**Decision Type**                      Permitted                      **Decision Date:**                      8/18/2010  
**Location:**                      35 Bowhay Lane, Exeter, EX4 1PF  
**Proposal:**                      Increase pitch of Solar PV System on south west elevation.

---

**Application Number:** 10/0813/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      7/16/2010  
**Location:**                      13 Little Johns Cross Hill, Exeter, EX2 9PJ  
**Proposal:**                      Conservatory on rear elevation (Certificate of Lawfulness required)

---

**Application Number:** 10/0693/03                      **Working Party Date:**  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      7/19/2010  
**Location:**                      13 Buddle Lane, Exeter, EX4 1JU  
**Proposal:**                      Enlarged window on east elevation, louvre and plant including flue pipe on flat roof on west elevation

## **DURYARD**

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**Application Number:** 10/0828/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/21/2010  
**Location:**                      Land to rear of Washington Singer Laboratories, Perry Road, Exeter, EX4 4QG  
**Proposal:**                      Electrical switch station

---

**Application Number:** 10/0717/03                      **Working Party Date:**  
**Decision Type**            Refuse Planning Permission    **Decision Date:**            7/26/2010  
**Location:**                    2 High Croft, Coppleshone Drive, Exeter, EX4 4JQ  
**Proposal:**                    Alteration to first floor and roof on north west elevation and additional first floor window on south west elevation.

---

**Application Number:** 10/0899/38                      **Working Party Date:**  
**Decision Type**            Permitted                              **Decision Date:**            7/26/2010  
**Location:**                    12 West Garth Road, Exeter, EX4 5AG  
**Proposal:**                    Two storey side and ground floor front and rear extensions including balcony at first floor level on rear elevation (Extension of Time on extant Planning Permission Ref No 05/0777/03 granted 23 June 2005)

---

**Application Number:** 10/1130/37                      **Working Party Date:**  
**Decision Type**            Permitted                              **Decision Date:**            7/26/2010  
**Location:**                    Land between Devonshire House and Main Library, Stocker Road, Exeter, EX4  
**Proposal:**                    Amendment to move centreline (by 9.8m) of interface of Forum Service Access Road with Prince of Wales Road (Non Material Minor Amendment Ref No. 09/0736/03 granted 11 August 2009)

---

**Application Number:** 10/3081/04                      **Working Party Date:**  
**Decision Type**            Permitted                              **Decision Date:**            8/13/2010  
**Location:**                    Longacre, Higher Hoopern Lane, Exeter, EX4 4SG  
**Proposal:**

Tree no.	Species	Work
T2	Sycamore	Fell
T3	Oak	Reduce crown by 40% and shape

---

**Application Number:** 10/3089/04                      **Working Party Date:**  
**Decision Type**            Permitted                              **Decision Date:**            8/13/2010  
**Location:**                    11 Curlew Way, Exeter, EX4 4SW  
**Proposal:**

Tree no.	Species	Work
T1	Monterey Pine	Remove 3 lowest branches overhanging roof of Longacre

---

**Application Number:** 10/0863/05                      **Working Party Date:**  
**Decision Type**            Permitted                              **Decision Date:**            8/23/2010  
**Location:**                    Bradfords Yard, Cowley Bridge Road, Exeter, EX4 5AD  
**Proposal:**                    Three externally illuminated fascia signs on east elevation

## EXWICK

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**Application Number:** 10/0852/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      3 Cleve Court, Cleve Lane, Exeter, EX4  
**Proposal:**                      Door on south elevation

---

**Application Number:** 10/3087/06                      **Working Party Date:**  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      8/13/2010  
**Location:**                      6 Exe View Cottages, St. Andrews Road, Exeter, EX4 2AB  
**Proposal:**                      Tree no.                      Species                      Work  
   T1, T2 & T3                      Sycamore                      Fell

---

**Application Number:** 10/1052/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/17/2010  
**Location:**                      5-7 Winchester Avenue, Exeter, EX4 2DQ  
**Proposal:**                      Installation of an ATM on north elevation.

---

**Application Number:** 10/1066/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      8/18/2010  
**Location:**                      112 Gloucester Road, Exeter, EX4 2EB  
**Proposal:**                      Single storey extension on north east elevation (Certificate of lawfulness of proposed development required)

---

**Application Number:** 10/3069/04                      **Working Party Date:**  
**Decision Type**                      Split Decision                      **Decision Date:**                      7/15/2010  
**Location:**                      Exwick Heights Primary School, Exwick Lane, Exeter, EX4 2FB  
**Proposal:**                      Tree no.                      Species                      Work  
   T1                      Norway Maple                      Fell  
   T2, T4, T6, T7                      Ash                      Fell  
   T3, T5                      Lawson Cypress                      Fell  
   T8                      Lime                      Crown lift to 4m

---

**Application Number:** 10/0716/17                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      7/21/2010  
**Location:**                      17 Palmerston Drive, Exeter, EX4 2JA  
**Proposal:**                      Conservatory on south elevation (Certificate of Lawfulness of Existing Development)

## HEAVITREE

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**Application Number:** 10/0786/03                      **Working Party Date:**  
**Decision Type**            Refuse Planning Permission    **Decision Date:**            7/27/2010  
**Location:**                    71 Roseland Avenue, Exeter, EX1 2TN  
**Proposal:**                    Two storey extension on east elevation

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**Application Number:** 10/0849/03                      **Working Party Date:** 7/7/2010 00  
**Decision Type**            Permitted                              **Decision Date:**            8/4/2010 0  
**Location:**                    20 Salutory Mount, Heavitree, Exeter, EX1 2QE  
**Proposal:**                    Change of use from residential care home to house in multiple occupation

---

**Application Number:** 10/0498/03                      **Working Party Date:** 5/5/2010 00  
**Decision Type**            Permitted                              **Decision Date:**            7/21/2010  
**Location:**                    Former St Loyes Public House, 12-14, Salters Road, Exeter, EX2 5JH  
**Proposal:**                    Conversion from hotel to 6 self contained flats, dormer windows (2) on north west elevation, parking, alterations to access and associated works

## **MINCINGLAKE**

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**Application Number:** 10/0876/03                      **Working Party Date:**  
**Decision Type**            Permitted                              **Decision Date:**            7/22/2010  
**Location:**                    97 Chancellors Way, Exeter, EX4 9DX  
**Proposal:**                    Ground floor extension on north elevation

---

**Application Number:** 10/0877/03                      **Working Party Date:**  
**Decision Type**            Withdrawn by Applicant              **Decision Date:**            7/27/2010  
**Location:**                    95 Chancellors Way, Exeter, EX4 9DX  
**Proposal:**                    Ground floor extensions on north and south elevations

---

**Application Number:** 10/0875/03                      **Working Party Date:**  
**Decision Type**            Refuse Planning Permission              **Decision Date:**            8/3/2010 0  
**Location:**                    99 Chancellors Way, Exeter, EX4 9DX  
**Proposal:**                    Creation of basement with conservatory over on south elevation and extension on north elevation

---

**Application Number:** 10/0910/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/3/2010 0  
**Location:**                      2 Chancellors Way, Exeter, EX4 9DW  
**Proposal:**                      Ground floor extension on south elevation, door and window on west elevation and fence on south boundary

---

**Application Number:** 10/0328/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      7/16/2010  
**Location:**                      17 Spruce Close, Exeter, EX4 9JU  
**Proposal:**                      Ground floor extension on east elevation (Certificate of Lawfulness of Proposed Development)

---

**Application Number:** 10/1004/26                      **Working Party Date:** 7/5/2010 00  
**Decision Type**                      Raise No Objection                      **Decision Date:**                      7/19/2010  
**Location:**                      Willowbrook School, Summer Lane, Exeter, EX4 8NN  
**Proposal:**                      'Gazova' all purpose outdoor canopy 6mx12m, to be situated outside classrooms providing outside shelter, following a recommendation by OFSTED.

## NEWTOWN

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**Application Number:** 10/0801/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/15/2010  
**Location:**                      2 Ivy Cottages, Jesmond Road, Exeter, EX1 2DF  
**Proposal:**                      Ground floor extension to kitchen on south east elevation

---

**Application Number:** 10/0767/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/28/2010  
**Location:**                      7 Gladstone Road, Exeter, EX1 2EE  
**Proposal:**                      Ground floor extension on north elevation.

---

**Application Number:** 10/0960/03                      **Working Party Date:** 7/7/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      7/29/2010  
**Location:**                      12 Baring Crescent, Exeter, EX1 1TL  
**Proposal:**                      Change of use from offices back to residential dwelling.

---

**Application Number:** 10/1119/37                                      **Working Party Date:**  
**Decision Type**                      Permitted                                      **Decision Date:**                      7/29/2010  
**Location:**                                      Former garage site fronting Verney Street, Exeter, EX1  
**Proposal:**                                      Alterations to building footprint and internal layout of units including allowing the footpath on the north east boundary within site (Non Material Minor Amendment Ref No. 04/2005/03 granted 20 December 2006)

---

**Application Number:** 10/0559/03                                      **Working Party Date:**  
**Decision Type**                      Permitted                                      **Decision Date:**                      8/5/2010 0  
**Location:**                                      Offices above National Mobile Windscreens Ltd, Summerland Street, Exeter, EX1 2AT  
**Proposal:**                                      Change of use from office to taxi call centre and communication aerial on north east elevation

---

**Application Number:** 10/0947/03                                      **Working Party Date:**  
**Decision Type**                      Permitted                                      **Decision Date:**                      8/5/2010 0  
**Location:**                                      Sydenham House, Blackboy Road, Exeter, EX4  
**Proposal:**                                      Replacement door and window to ground floor communal area on south elevation and replacement windows to communal areas on first to sixth floor south and north elevations.

---

**Application Number:** 10/0961/07                                      **Working Party Date:** 7/7/2010 00  
**Decision Type**                      Permitted                                      **Decision Date:**                      8/5/2010 0  
**Location:**                                      12 Baring Crescent, Exeter, EX1 1TL  
**Proposal:**                                      Change of use from offices back to residential dwelling including internal work.

---

**Application Number:** 10/3084/06                                      **Working Party Date:**  
**Decision Type**                      Permitted                                      **Decision Date:**                      8/6/2010 0  
**Location:**                                      35 Toronto Road, Exeter, EX4 6LE  
**Proposal:**

Tree no.	Species	Work
T1	Pittisporum	Cut to ground level

---

**Application Number:** 10/3095/06                                      **Working Party Date:**  
**Decision Type**                      Permitted                                      **Decision Date:**                      8/6/2010 0  
**Location:**                                      25 Clifton Hill, Exeter, EX1 2DL  
**Proposal:**

Tree no.	Species	Work
T1	Willow	Pollard at 2.4m



---

**Application Number:** 10/1000/03                      **Working Party Date:** 7/7/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/11/2010  
**Location:**                      28 Barnfield Road, Exeter, EX1 1RX  
**Proposal:**                      Change of use from offices to six self contained flats and ground floor extension on south elevation, two storey extension on north elevation, rooflights on south (2) and north (1) elevations, replacement windows on north, south and east elevations, replacement door on south elevation, pedestrian access to highway, and wall and gates on north boundary

---

**Application Number:** 10/0991/37                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/12/2010  
**Location:**                      Kendall Close, Blackboy Road, Exeter, EX4  
**Proposal:**                      Proposed planters adjusted in size & position and bin-store roofs removed (Non Material Minor Amendment Ref No. 08/0820/03 granted 16 July 22008)

---

**Application Number:** 10/0896/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/16/2010  
**Location:**                      19 Clifton Hill, Exeter, EX1 2DL  
**Proposal:**                      Increase in height of roof of attached outbuilding, rooflights (3) and door on north elevation and windows on north (1), west (1) and east (2) elevations

---

**Application Number:** 10/0931/03                      **Working Party Date:** 8/18/2010 0  
**Decision Type**                      Permitted                      **Decision Date:**                      8/23/2010  
**Location:**                      6 Gordon Road, Exeter, EX1 2DH  
**Proposal:**                      Single storey extension on the south west elevation.

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## PENNSYLVANIA

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**Application Number:** 10/1038/26                      **Working Party Date:** 7/5/2010 00  
**Decision Type**                      Raise Objections                      **Decision Date:**                      7/21/2010  
**Location:**                      Stoke Hill Junior School, Stoke Hill, Exeter, EX4 7DP  
**Proposal:**                      Shared footpath/cycleway through school grounds with school security fencing

---

**Application Number:** 10/0612/26                      **Working Party Date:** 5/4/2010 00  
**Decision Type**                      Raise Objections                      **Decision Date:**                      8/5/2010 0  
**Location:**                      1 Beech Avenue, Exeter, EX4 6HE  
**Proposal:**                      Demolition of existing timber garage and provision of a containerised package plant unit housing biomass boiler and wood fuel store complete with flue, support mast, adjacent railings and connecting pipe work linked to main building boiler room.

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**Application Number:** 10/0933/18                      **Working Party Date:**  
**Decision Type**                      Was not lawful use                      **Decision Date:**                      8/5/2010 0  
**Location:**                      26 Armstrong Avenue, Exeter, EX4 5DJ  
**Proposal:**                      Ground floor extension on north east elevation (Certificate of Lawfulness of Proposed Development)

---

**Application Number:** 10/1026/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/16/2010  
**Location:**                      65 Florida Drive, Exeter, EX4 5EX  
**Proposal:**                      First floor extension on south east elevation

## **PINHOE**

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**Application Number:** 10/0902/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/26/2010  
**Location:**                      29 Orchard Close, Exeter, EX1 3SN  
**Proposal:**                      Conservatory on the south west elevation.

---

**Application Number:** 10/0889/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/3/2010 0  
**Location:**                      4 Pinnbridge Court, Old Pinn Lane, Exeter, EX1 3RT  
**Proposal:**                      Two storey extension on north east elevation, dormer window on the rear elevation, velux window on the front elevation and alterations to existing door on the side elevation.

---

**Application Number:** 10/0794/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/4/2010 0  
**Location:**                      1a, Station Road, Pinhoe, Exeter, EX1 3SA  
**Proposal:**                      Installation of shopfront on west elevation

---

**Application Number:** 10/0795/05                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      1a, Station Road, Pinhoe, Exeter, EX1 3SA  
**Proposal:**                      Internally illuminated fascia sign on west elevation

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**Application Number:** 10/0967/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      Sandroock, Pinn Lane, Exeter, EX1 3RG  
**Proposal:**                      Detached garage on south east boundary

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**Application Number:** 10/3082/04                      **Working Party Date:**  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      8/6/2010 0  
**Location:**                      11 Steps Close, Exeter, EX1  
**Proposal:**                      Tree no.                      Species                      Works  
T1                      Common Ash                      Crown reduce by 30%, remove dead wood and reshape  
T2                      Sweet Chestnut                      Crown reduce by 30%, remove dead wood and broken limbs. Thin, shape and lift low branches.

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**Application Number:** 10/0990/03                      **Working Party Date:**  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      8/19/2010  
**Location:**                      12 Grasslands Drive, Exeter, EX1 3XZ  
**Proposal:**                      Two storey extension on north elevation and ground floor extensions on north and west elevations

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**Application Number:** 10/0841/03                      **Working Party Date:**  
**Decision Type**                      Withdrawn by Applicant                      **Decision Date:**                      7/15/2010  
**Location:**                      47 Langaton Lane, Exeter, EX1 3SP  
**Proposal:**                      Ground floor extension on north east elevation

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**Application Number:** 10/0843/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      7/20/2010  
**Location:**                      1 Summerway, Exeter, EX4 8DA  
**Proposal:**                      Alterations to roof to include gable end and dormer window on north elevation (Certificate of Lawfulness of Proposed Development)

## **POLSLOE**

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**Application Number:** 10/0753/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/21/2010  
**Location:**                      12 Manston Road, Exeter, EX1 2QA  
**Proposal:**                      Extension to dormer on south elevation

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**Application Number:** 10/3088/04                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/6/2010 0  
**Location:**                      Baxter Cottage, 66A Polsloe Road, Exeter, EX1  
**Proposal:**                      Tree no.                      Species                      Work  
   T1 & T2                      Lime                      Crown clean and lift to Highway Regulations

---

**Application Number:** 10/3092/06                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/6/2010 0  
**Location:**                      11 Regents Park, Exeter, EX1 2NT  
**Proposal:**                      Tree no.                      Species                      Work  
   T1, T2 & T3                      Apple                      Reduce by 0.9m and reshape crown. Thin suckers and dead wood.

---

**Application Number:** 10/1213/37                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/18/2010  
**Location:**                      Land north of Beacon Avenue, Exeter, EX4  
**Proposal:**                      Revision of layout & design of apartment Block type A for plots 38-49 including associated parking court arrangement (Non Material Minor Amendment Ref No 08/2213/02 granted 25 February 2009)

---

**Application Number:** 10/0972/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/21/2010  
**Location:**                      60 Wykes Road, Exeter, EX1 2UG  
**Proposal:**                      Two storey extension on east elevation.

## **PRIORY**

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**Application Number:** 10/0870/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/21/2010  
**Location:**                      Royal Devon & Exeter NHS Foundation Trust Royal Devon & Exeter Hospital, Barrack Road, Exeter, EX2 5DW  
**Proposal:**                      Single storey extension on west elevation to day care nursery

---

**Application Number:** 10/0872/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/27/2010  
**Location:**                      94 Earl Richards Road South, Exeter, EX2 6AP  
**Proposal:**                      Ground floor extension on north east elevation

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**Application Number:** 10/1039/07                      **Working Party Date:**  
**Decision Type**                      Withdrawn Returned (unlikely t **Decision Date:**                      7/27/2010  
**Location:**                      32 Countess Wear Road, Exeter, EX2 6LP  
**Proposal:**                      Replace/repair first floor windows (3) on west elevation and internal alterations on first floor.

---

**Application Number:** 10/0815/03                      **Working Party Date:** 7/7/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/3/2010 0  
**Location:**                      Force Cancer Support Centre, Barrack Road, Exeter, EX2 5DW  
**Proposal:**                      Ground floor extension on south elevation

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**Application Number:** 10/0887/03                      **Working Party Date:** 7/7/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/3/2010 0  
**Location:**                      Kiln House, Lime Kiln Lane, Exeter, EX2 6LW  
**Proposal:**                      Hipping of existing flat roof dormers on north east and south west elevations

---

**Application Number:** 10/0804/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      2 Mill Drive, Exeter, EX2 6LX  
**Proposal:**                      First floor extension on south east and south west elevations

---

**Application Number:** 10/0769/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/11/2010  
**Location:**                      7 Dryden Road, Exeter, EX2 5BS  
**Proposal:**                      Wall on northern boundary

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**Application Number:** 10/1071/03                      **Working Party Date:**  
**Decision Type**                      Withdrawn by Applicant                      **Decision Date:**                      8/17/2010  
**Location:**                      73 High Street, Topsham, Exeter, EX3 0DY  
**Proposal:**                      Conservatory on south west elevation.





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**Application Number:** 10/0792/03                      **Working Party Date:** 7/5/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/3/2010 0  
**Location:**                      14 Castle Street, Exeter, EX4 3PT  
**Proposal:**                      Change of use from office to house in multiple occupation (C4 use)

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**Application Number:** 10/0829/03                      **Working Party Date:** 7/6/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/4/2010 0  
**Location:**                      107 Fore Street, Exeter, EX4 3HY  
**Proposal:**                      Change of use of ground floor from shop to hot food take away

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**Application Number:** 10/0401/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      Cecil Boyall House, Southernhay East, Exeter, EX1 1RB  
**Proposal:**                      Replace window with door on north east elevation

---

**Application Number:** 10/0481/37                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      Royal Albert Memorial Museum, Queen Street, Exeter, EX4 3RX  
**Proposal:**                      Additional ductwork and plant for humidity control (Non-material Minor Amendment Ref No. 06/1065/16 granted 13 December 2006)

---

**Application Number:** 10/0963/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      8/5/2010 0  
**Location:**                      12 Eldertree Gardens, Exeter, EX4 4DE  
**Proposal:**                      Alterations to garage to provide additional living accommodation (Certificate of Lawfulness of Proposed Development)

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**Application Number:** 10/3091/06                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/6/2010 0  
**Location:**                      14 Cathedral Close, Exeter, EX1 1HA  
**Proposal:**                      G1 Group of Sycamore trees on eastern boundary: Fell 5 multi-stemmed Sycamore trees and seven other individual Sycamore stems all marked with orange paint. Felling a total of approximately 30 stems between 14 Cathedral Close and Chapel Street. Fell any other heavily leaning or defective stems identified after felling of all stems already marked.  
T1 Horse Chestnut Clear shoots and ground cover at base of tree. Crown raise to 4-5m.



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**Application Number:** 10/0958/03                      **Working Party Date:** 7/6/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/11/2010  
**Location:**                      The West Wing, Bishop's Palace, Palace Gate, Exeter, EX1  
**Proposal:**                      Extension at roof level for lift shaft and access ramp on south elevation

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**Application Number:** 10/0959/07                      **Working Party Date:** 7/6/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/11/2010  
**Location:**                      The West Wing, Bishop's Palace, Palace Gate, Exeter, EX1  
**Proposal:**                      Internal alterations to provide repository on ground floor and song school on first floor, lift to all floors with extension at roof level for lift shaft and access ramp on south elevation

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**Application Number:** 10/0989/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/11/2010  
**Location:**                      La Tasca, 26 Bedford Street, Exeter, EX1 1GJ  
**Proposal:**                      Change of use of highway to outside seating area.

---

**Application Number:** 10/0965/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/12/2010  
**Location:**                      30 New Bridge Street, Exeter, EX4 3AH  
**Proposal:**                      Change of use from basement store, lower ground floor bedsit, ground floor shop and first, second and third floor maisonette to single dwelling with basement garage and window on south east elevation

---

**Application Number:** 10/3099/06                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/13/2010  
**Location:**                      Palace Gate, Exeter, EX1 1JA  
**Proposal:**

Tree no.	Species	Work
T1	Sycamore	Lift crown to give 2m clearance above the building
T2	Elm	Remove 2 branches overhanging pavement, lift rest of crown to 2m, reduce weight of other branches by removing 1-2m from each branch with cuts no greater than 4cm

---

**Application Number:** 10/0803/01                      **Working Party Date:** 6/7/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/16/2010  
**Location:**                      Land at Central Station Yard, Queen Street, Exeter, EX4  
**Proposal:**                      Development to provide 5/6 storey mixed use building with flexible commercial use at ground floor level (retail, office, gymnasium or health/medical use) with residential on the floors above (28 apartments) (appearance reserved for future consideration)

---

**Application Number:** 10/1177/07                      **Working Party Date:**  
**Decision Type**                      Withdrawn Returned (unlikely t **Decision Date:**                      8/16/2010  
**Location:**                      195 High Street, Exeter, EX4 3EB  
**Proposal:**                      Installation of shopfront and sunblind on south east elevation, extraction vent and replacement door on south west elevation, air conditioning units and alterations to window on north west elevation, internal alterations including replacement staircase to basement and removal of staircase to first floor, internally illuminated fascia sign and projecting sign on south east elevation

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**Application Number:** 10/0644/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/17/2010  
**Location:**                      15 Bedford Street, Exeter, EX1 1GG  
**Proposal:**                      Change of use to provide external seating area.

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**Application Number:** 10/0951/03                      **Working Party Date:**  
**Decision Type**                      Withdrawn by Applicant                      **Decision Date:**                      8/17/2010  
**Location:**                      195 High Street, Exeter, EX4 3EB  
**Proposal:**                      Installation of shopfront and sunblind on south east elevation, extraction vent and replacement door on south west elevation and air conditioning units on north west elevation

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**Application Number:** 10/0948/05                      **Working Party Date:**  
**Decision Type**                      Withdrawn by Applicant                      **Decision Date:**                      8/17/2010  
**Location:**                      195 High Street, Exeter, EX4 3EB  
**Proposal:**                      Internally illuminated fascia sign and projecting sign on south east elevation

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**Application Number:** 10/1008/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/18/2010  
**Location:**                      102-104, Fore Street, Exeter, EX4 3JB  
**Proposal:**                      Infilling of lightwell with mono pitched roof

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**Application Number:** 10/0914/03                      **Working Party Date:** 8/16/2010 0  
**Decision Type**                      Permitted                      **Decision Date:**                      8/19/2010  
**Location:**                      65 St. Davids Hill, Exeter, EX4 4DW  
**Proposal:**                      Change of use from guest house to house in multiple occupancy.

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**Application Number:** 10/1049/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/19/2010  
**Location:**                      52 Velwell Road, Exeter, EX4 4LD  
**Proposal:**                      Single storey extension on north elevation

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**Application Number:** 10/0752/05                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/20/2010  
**Location:**                      100 Guildhall Shopping Centre, Exeter, EX4 3HP  
**Proposal:**                      Internally illuminated fascia signs on south east (1), south west (1) and north east (2) elevations and internally illuminated projecting sign on south east elevation

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**Application Number:** 10/0696/07                      **Working Party Date:**  
**Decision Type**                      Withdrawn Returned (unlikely t **Decision Date:**                      7/16/2010  
**Location:**                      St Stephen's Church, High Street, Exeter, EX4 3LN  
**Proposal:**                      New terrace and steps on south elevation

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**Application Number:** 10/0842/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/19/2010  
**Location:**                      27 Commercial Road, Exeter, EX2 4AE  
**Proposal:**                      Change of use from art gallery to information centre on ground floor and office on first floor

---

**Application Number:** 10/0586/05                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/20/2010  
**Location:**                      65-67 High Street, Exeter, EX4 3DT  
**Proposal:**                      Window vinyl lettering (2) on south east and north east elevations and (1) on north west elevation. Individual wall mounted lettering (2) on south east and north east elevations and (1) on north west elevation.

---

**Application Number:** 10/0734/07                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/20/2010  
**Location:**                      14 Cathedral Close, Exeter, EX1 1HA  
**Proposal:**                      Alterations to the vehicular gate on south west boundary including fixed railings in place of pedestrian gates (Amendment to Ref No. 07/1120/03 granted 7 September 2007)

## **ST JAMES**

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**Application Number:** 10/0631/03                      **Working Party Date:** 6/7/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      7/26/2010  
**Location:**                      Bishop Blackall School, Pennsylvania Road, Exeter, EX4 6BP  
**Proposal:**                      Conversion of former school building to form 22 residential flats for student occupation, including the construction of cycle and bin stores, and associated landscaping

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**Application Number:** 10/0971/03                      **Working Party Date:** 7/5/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      26 New North Road, Exeter, EX4 4HF  
**Proposal:**                      Change of use from hotel to house in multiple occupation.

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**Application Number:** 10/1028/07                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      26 New North Road, Exeter, EX4 4HF  
**Proposal:**                      Internal alterations to remove doors and reinstate wall on ground floor

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**Application Number:** 10/1042/03                      **Working Party Date:** 7/5/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      8/9/2010 0  
**Location:**                      1-11, Sidwell Street, Exeter, EX4 6NW  
**Proposal:**                      Extension at first floor podium level, extension of upper ground floor, installation of shopfront on south and east elevations, roller shutter on north elevation, louvre screens on north and west elevations, vehicle access and customer collection parking.

---

**Application Number:** 10/0869/03                      **Working Party Date:** 7/5/2010 00  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      8/12/2010  
**Location:**                      Former Tennis Courts, Bishop Blackall Annexe, Thornton Hill, Exeter, EX4  
**Proposal:**                      Development to provide three storey building comprising 9 flats including wardens/nurse/administration unit, access to highway, parking and associated works

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**Application Number:** 10/0865/03                      **Working Party Date:**  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      8/13/2010  
**Location:**                      27 Edgerton Park Road, Exeter, EX4 6DD  
**Proposal:**                      Two storey extension on north elevation and window on south elevation

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**Application Number:** 10/3090/06                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/13/2010  
**Location:**                      7 West Avenue, Exeter, EX4 4SD  
**Proposal:**                      Tree no.    Species                      Work  
   T1                      Silver Birch                      Crown reduce by 30%  
   T2                      Catalpa                      Prune back to previous pruning points

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**Application Number:** 10/3098/06                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/13/2010  
**Location:**                      28 Old Tiverton Road, Exeter, EX4 6LG  
**Proposal:**                      Tree no.    Species                      Work  
   T1 & T2                      Sycamore                      Crown reduce by 40%

---

**Application Number:** 10/3101/06                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/13/2010  
**Location:**                      18 West Avenue, Exeter, EX4 4SD  
**Proposal:**                      Tree no.    Species                      Works  
   T1                      Mimosa                      Cut back dead /sparse branches  
   T2                      Twin stemmed Holly                      Remove trunk furthest from house  
   T3                      Magnolia                      Remove branches overhanging path

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**Application Number:** 10/1045/03                      **Working Party Date:** 8/16/2010 0  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      8/20/2010  
**Location:**                      17 Queens Crescent, Exeter, EX4 6AY  
**Proposal:**                      Change of use from 3 self contained flats to house in multiple occupancy (C4 use)

---

**Application Number:** 10/1048/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      8/23/2010  
**Location:**                      Brook Green House, Well Street, Exeter, EX4 6QE  
**Proposal:**                      Porch on south west elevation. (Certificate of lawfulness required)

---

**Application Number:** 10/0293/18                      **Working Party Date:**  
**Decision Type**                      Was not lawful use                      **Decision Date:**                      7/19/2010  
**Location:**                      49 Well Street, Exeter, EX4 6QA  
**Proposal:**                      Internal alterations to increase the number of bedrooms from 9 to 19 (Certificate of Lawfulness of Proposed Works)

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**Application Number:** 10/0847/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/20/2010  
**Location:**                      14 Thornton Hill, Exeter, EX4 4NS  
**Proposal:**                      Replacement outbuilding to north east of property

## ST LEONARDS

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**Application Number:** 10/0866/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/21/2010  
**Location:**                      61 Rivermead Road, Exeter, EX2 4RJ  
**Proposal:**                      Single storey extension to north west elevation.

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**Application Number:** 10/0913/14                      **Working Party Date:** 7/6/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      7/26/2010  
**Location:**                      Former St Nicholas R.C. School, Matford Lane, Exeter, EX2 4PS  
**Proposal:**                      Demolition of building

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**Application Number:** 10/0633/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/29/2010  
**Location:**                      7 Victoria Park Road, Exeter, EX2 4NT  
**Proposal:**                      Conservatory on west elevation

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**Application Number:** 10/0634/07                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      7/29/2010  
**Location:**                      7 Victoria Park Road, Exeter, EX2 4NT  
**Proposal:**                      Conservatory on west elevation

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**Application Number:** 10/0844/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      Exeter School, Victoria Park Road, Exeter, EX2 4NS  
**Proposal:**                      Two storey extension on north elevation of Biology and Maths Department

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**Application Number:** 10/1185/37                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      3 Penleonard Close, Exeter, EX2 4NY  
**Proposal:**                      Amendment to the size & layout of windows on east elevation of extension (Non Material Minor Amendment Ref No 10/0724/03 granted 13 July 2010)

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**Application Number:** 10/3086/06                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/6/2010 0  
**Location:**                      St Davids Church, Hele Road, Exeter, EX4  
**Proposal:**                      Tree no.    Species    Work  
T1                      Beech    Remove 4 secondary 3-4 inch diameter branches and 4-5 small branches 1-2 inch diameter over Montpellier Court garden.

---

**Application Number:** 10/3085/06                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/6/2010 0  
**Location:**                      The Coach House, 6 Mount Radford Crescent, Exeter, EX2 4EN  
**Proposal:**                      Tree no.    Species    Work  
T1                      Horse Chestnut    Re-pollard at approximately 6m

---

**Application Number:** 10/3096/06                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/6/2010 0  
**Location:**                      St Leonards Church, Topsham Road, Exeter, EX2 4NG  
**Proposal:**                      Tree no.    Species    Works  
T1 & T2    Beech    Reduce smaller tree by one third and reduce other tree to same height

---

**Application Number:** 10/1093/03                      **Working Party Date:**  
**Decision Type**                      Permission not required                      **Decision Date:**                      8/11/2010  
**Location:**                      9 St. Leonards Road, Exeter, EX2 4LA  
**Proposal:**                      Doors on south elevation and glazing on south and east elevations

---

**Application Number:** 10/3100/06                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/13/2010  
**Location:**                      58 Wonford Road, Exeter, EX2 4LQ  
**Proposal:**                      Tree no.    Species    Work  
T1                      Cherry    Reduce height by 2m and crown reduce by 1-1.5m. Crown lift branches overhanging annexe of 44 Marlborough Road to give 1.5m clearance.

---

**Application Number:** 10/0882/03                      **Working Party Date:** 8/17/2010 0  
**Decision Type**                      Permitted                      **Decision Date:**                      8/18/2010  
**Location:**                      Lahill, Matford Road, Exeter, EX2 4PE  
**Proposal:**                      Two storey extension on north east elevation and single storey extension on south east elevation.

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**Application Number:** 10/1036/07                      **Working Party Date:** 8/17/2010 0  
**Decision Type**                      Permitted                      **Decision Date:**                      8/18/2010  
**Location:**                      25 Victoria Park Road, Exeter, EX2 4NT  
**Proposal:**                      Alterations to internal walls and doors on all floors, new staircase to lower ground floor and three velux windows on east elevation

## ST LOYES

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**Application Number:** 10/3078/04                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/2/2010 0  
**Location:**                      Windy Way, Aspen Close, Exeter, EX2 5RZ  
**Proposal:**                      Cut back branches of trees situated at Windy Way that overhang 11 Aspen Close.

---

**Application Number:** 10/1212/37                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/5/2010 0  
**Location:**                      Unit 9, Bishops Court Industrial Estate, Sidmouth Road, Exeter, EX2 7JH  
**Proposal:**                      Repositioning of double doors on east elevation two structural bays south (Non Material Minor Amendment Ref No 10/0723/37 granted 11 June 2010)

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**Application Number:** 10/0984/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      8/18/2010  
**Location:**                      2 Broadfields Road, Exeter, EX2 5QY  
**Proposal:**                      Replacement of conservatory with a ground floor extension on north west elevation (Certificate of Lawfulness required)

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**Application Number:** 10/1072/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/18/2010  
**Location:**                      84 Heraldry Way, Exeter, EX2 7RA  
**Proposal:**                      Conservatory on south elevation





<b>Application Number:</b>	10/0901/18	<b>Working Party Date:</b>	
<b>Decision Type</b>	Was not lawful use	<b>Decision Date:</b>	8/4/2010 0
<b>Location:</b>	347 Topsham Road, Exeter, EX2 6EY		
<b>Proposal:</b>	Alterations to existing garage to provide ancillary accommodation, including increased height, extension and bi-fold doors on north west elevation, plus roof lights (2). Addition of porch on south east elevation, widen driveway. (Certificate of Lawfulness of Proposed Development).		
<b>Application Number:</b>	10/0874/03	<b>Working Party Date:</b>	
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	8/5/2010 0
<b>Location:</b>	4 Wendover Way, Exeter, EX2 6JG		
<b>Proposal:</b>	Two storey extension on north east elevation and replacement fencing on north east boundary.		
<b>Application Number:</b>	10/0830/07	<b>Working Party Date:</b>	
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	8/11/2010
<b>Location:</b>	Newcourt House, Old Rydon Lane, Exeter, EX2 7JT		
<b>Proposal:</b>	Internal alterations to provide additional storage in post room		
<b>Application Number:</b>	10/1023/38	<b>Working Party Date:</b>	8/18/2010 0
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	8/18/2010
<b>Location:</b>	Land to rear of 1 & 2 Globe Court, Globe Lane, Topsham, Exeter, EX3		
<b>Proposal:</b>	Redevelopment to provide bungalow, parking and associated works (Extension of Time of extant Planning Permission Ref No 06/1408/03 granted 13 July 2007)		
<b>Application Number:</b>	10/1027/14	<b>Working Party Date:</b>	8/18/2010 0
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	8/18/2010
<b>Location:</b>	Land to rear of 1 & 2 Globe Court, Globe Lane, Topsham, Exeter, EX3		
<b>Proposal:</b>	Demolition of buildings (Extension of Time for extant Planning Application Ref No 06/1409/14 granted 13 July 2007)		
<b>Application Number:</b>	10/0920/03	<b>Working Party Date:</b>	8/18/2010 0
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	8/23/2010
<b>Location:</b>	Land adjacent, Sandy Park Farm, Old Rydon Lane, Exeter, EX2		
<b>Proposal:</b>	Temporary cover on Tennis Court		

---

**Application Number:** 10/1068/03                      **Working Party Date:**  
**Decision Type**                      Permitted                      **Decision Date:**                      8/23/2010  
**Location:**                      33 Tappers Close, Topsham, Exeter, EX3 0DG  
**Proposal:**                      Alterations to garage to provide additional living accommodation including windows (2), rooflights (3) and infill extension on south west elevation

---

**Application Number:** 10/3094/36                      **Working Party Date:** 8/18/2010 0  
**Decision Type**                      Permitted                      **Decision Date:**                      8/23/2010  
**Location:**                      Hedge opposite 29-83, Exeter Road, Topsham, Exeter, EX3  
**Proposal:**                      The hedge to be translocated runs almost the entire length on the opposite side of the road between nos. 29 to 83 Topsham Road.

---

**Application Number:** 10/0878/03                      **Working Party Date:**  
**Decision Type**                      Withdrawn Returned (unlikely t **Decision Date:**                      7/15/2010  
**Location:**                      343 Topsham Road, Exeter, EX2 6EY  
**Proposal:**                      Garage and hardstanding at north of property, fence and gate on northern boundary with highway access onto Southbrook Road.

---

**Application Number:** 10/0680/03                      **Working Party Date:** 7/7/2010 00  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      7/20/2010  
**Location:**                      8 Hamilton Road, Topsham, Exeter, EX3 0LH  
**Proposal:**                      Two storey extension to south west elevation.

---

**Application Number:** 10/0417/14                      **Working Party Date:** 7/7/2010 00  
**Decision Type**                      Permitted                      **Decision Date:**                      7/21/2010  
**Location:**                      21 Ferry Road, Topsham, Exeter, EX3 0JW  
**Proposal:**                      Demolition of dwelling

---

**Application Number:** 10/0575/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      7/21/2010  
**Location:**                      81 Newcourt Road, Topsham, Exeter, EX3 0BU  
**Proposal:**                      Porch on south elevation, ground floor extension on south elevation, alterations to roof including dormer on west elevation and window on north elevation (Certificate of Lawfulness of Proposed Development)

## **WHIPTON BARTON**

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**Application Number:** 10/0894/03                      **Working Party Date:**  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      7/26/2010  
**Location:**                      89 Hamlin Lane, Exeter, EX1 2SE  
**Proposal:**                      Conservatory on the south east elevation.

---

**Application Number:** 10/0988/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      8/5/2010 0  
**Location:**                      95 Hamlin Lane, Exeter, EX1 2SE  
**Proposal:**                      Ground floor extension on east elevation (Certificate of Lawfulness of Proposed Development)

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**Application Number:** 10/0993/18                      **Working Party Date:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      8/5/2010 0  
**Location:**                      27 Whiteway Drive, Exeter, EX1 3AL  
**Proposal:**                      Ground floor extension on north elevation, gable end on east elevation, dormer window on north elevation, window on east elevation and roof light on south elevation (Certificate of Lawfulness of Proposed Development)

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**Total Number of Delegated Decisions Made:**                      **176**

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**Local Government (Access to Information) 1985 (as amended)**

Background papers used in compiling the report:

Files of Planning Applications available for inspection from:

Planning Services, Exeter City Council, Civic Centre, Paris Street, Exeter EX1 1NN

Telephone No: 01392 265223

## EXETER CITY COUNCIL

### PLANNING COMMITTEE 6 SEPTEMBER 2010

#### ENFORCEMENT PROGRESS REPORT

##### 1.0 PURPOSE OF REPORT

- 1.1 To update Members on enforcement matters.

##### 2.0 CASES OPENED AND CLOSED BETWEEN 5 JULY 2010 AND 17 AUGUST 2010

Cases opened: 14  
Cases closed: 13  
Outstanding number of cases: 123

##### 3.0 NOTICES ISSUED

- 3.1 None

##### 4.0 NOTICES COMPLIED WITH

- 4.1 ENF/09/9 – 32 Commins Road, Exeter – Enforcement Notice issued on 14 September 2009 for the construction of timber decking and fencing at the rear of the property. The Notice took effect on 19 October 2009 and gave a period of 6 months for compliance. Following approval of an amended scheme for the decking in March 2010, a compliance site visit on 2 August 2010 found that the unauthorised elements have been removed and the Enforcement Notice complied with.

##### 5.0 CURRENT APPEALS

- 5.1 ENF/08/98 – Silver Springs, 12 Richmond Road, Exeter – Listed Building Enforcement Notice issued on 2 September 2009 for
1. Installation of uPVC windows, fascia boards and rainwater goods on front and rear elevations of the building;
  2. Installation of brick boiler house and pipework on the land at the rear of the building;
  3. Installation of a timber panel fence on the land to the south east boundary between the garden and parking area;
  4. Installation of a structure comprising a dwarf wall and plastic rooflight with a wooden frame on the land at the front of the building.

An appeal was submitted on 19 November 2009 and is being dealt with by written representations. The Council's statement was submitted on 10 December 2009. The Inspector's decision is now awaited.

- 5.2 ENF/09/114 – 134 Sidwell Street, Exeter – Discontinuance Notice issued on 25 February 2010 for the display of advertisements on the side elevation of the premises fronting Summerland Street. An appeal was submitted on 22 April 2010 and is being dealt with by written representations. The Council's

statement was submitted on 30 April 2010. The Inspector's decision is now awaited.

- 5.3 ENF/09/104 – 26 Victoria Road, Topsham, Exeter – Listed Building Enforcement Notice issued on 16 March 2010 for a number of unauthorised internal works to the listed building. An appeal was submitted on 14 April 2010 and is being dealt with by written representations. The Council's statement was submitted on 11 June 2010. The Inspector's decision is now awaited.
- 5.4 ENF/09/66 – 1 Newcourt Road, Topsham, Exeter – Enforcement Notice issued on 17 June 2010 for engineering works removing the earth bank and hedgerow and the installation of hardstanding and plastic meshing to create a parking space. An appeal was submitted on 5 August 2010 and is being dealt with by written representations. The Council's statement is due on 16 September 2010.

## **6.0 ENFORCEMENT APPEAL DECISIONS**

- 6.1 ENF/09/39 – 11 Exeter Road, Topsham, Exeter – Enforcement Notice issued on 14 January 2010 for the construction of a carport and garden room. An appeal was received on 8 March 2010 and dealt with by written representations. The appeal was part allowed, part dismissed on 15 July 2010.
- 6.2 While the Planning Inspector acknowledged that the garden room has not been built in accordance with the approved plans and is undoubtedly greater than that of the permitted scheme, he did not consider the impact of the resulting development to be unduly obtrusive. The Inspector accepted that the garden room extended further towards the rear elevation of the neighbouring property but did not consider there to be an unacceptable loss of privacy through overlooking, and therefore, granted planning permission for this aspect of the development.
- 6.3 The Inspector acknowledged that the car port has not been built in accordance with the approved plans insofar as the ridge height is some 0.5 metres greater than permitted. The Inspector concluded that the resulting car port represented an unduly dominant structure on the site and within the surroundings and in this respect, dismissed the appeal and upheld the Enforcement Notice. The car port must be reduced in height to accord with the approved plans by 15 November 2010.

## **7.0 OTHER ISSUES**

- 7.1 ENF/10/44 – Bombay Bills, 38 Commercial Road, Exeter – Authorisation was granted on 25 June 2010 to proceed with prosecution action against the operators of the business for unauthorised works to a Grade II listed building. The matter was due to be heard at Exeter Magistrates' Court on 27 July 2010 but was subsequently adjourned until 17 August 2010. Following not guilty pleas by both the leaseholder of the premises and the operators of the business, the matter has been further adjourned for pre-trial review until 21 September 2010.
- 7.2 ENF/05/226 – 29 Addington Court, Horseguards, Exeter – Following the owners continued failure to comply with the terms of a Breach of Condition

Notice originally issued on 24 August 2006, an Injunction Order was granted at Exeter County Court on 24 February 2010 requiring the owners to cease use of the former garage as living accommodation and reinstate the garage doors to enable access by a vehicle. Compliance was due on 31 July 2010. A site visit on 16 August 2010 found that the terms of the Injunction Order have been complied with and as such, the breach of planning control has now been resolved.

## **8.0 RECOMMENDATION**

8.1 That this report be noted.

**RICHARD SHORT  
HEAD OF PLANNING AND BUILDING CONTROL  
ECONOMY AND DEVELOPMENT DIRECTORATE**

**Local Government (Access to Information) 1985 (as amended).  
Background papers used in compiling the report: none.**

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## EXETER CITY COUNCIL

## PLANNING COMMITTEE

6 September 2010

### APPEALS

### DECISIONS RECEIVED

**SUMMARY:** 10 appeal decisions have been received since the last report; 6 were dismissed and 4 allowed with conditions.

**Land at Southlands, Fore Street, Heavitree, Exeter EX1 2QQ**



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**Reference No: 09/1187/03**

**Proposal:** Erection of four 1-bedroom dwellings with associated amenity space, parking and bin storage.

**Application Decision:** Delegated Refusal

**Type of Appeal:** Written Representations

**Appeal Decision: DISMISSED**

## **Grounds:**

The main issues were

- i) the effect of the development upon the setting of Southlands, a Grade II listed building and on the character and appearance of the Mont le Grand Conservation Area;
- ii) whether the scheme would provide acceptable living conditions for future occupants, and
- iii) the effect of the development on highway safety for users of the appeal site and of the roads in its vicinity.

### *Effect on the setting of the listed building and the character and appearance of the Conservation Area*

Southlands is a former house, now converted to 6 flats with substantial development on the site from the 1960s and 70s. The appeal proposed a block of 4 one-bedroom units on the grassy plot immediately to the south-east of the main house.

The Inspector noted that the appeal site was a remnant of what at one time must have been a substantial garden around this impressive 19th century villa. The grounds have been largely given over to the mid-20th century housing developments. The appeal site still provided an outlook over grass and trees from the south-eastern front of the house. It also provided one of the few views of a relatively unaltered part of the house in a relatively undeveloped setting. He considered this to be particularly important since it was effectively the first view of Southlands on approach along the drive.

He agreed with the Council that construction of the new block with its associated parking, and the bin and cycle stores to the front would seriously erode this green area, and the only piece of open site directly associated with the main house would effectively be lost.

The Inspector considered the proposed design would result in a shed-like form that would be incongruous within the context of the traditional design and form of the listed building, and also of the nearby single-storey dwellings. He also concurred with the Council's view that the three blank elevations, which would be clad in a type of synthetic timber boarding, would appear bland and unattractive. Furthermore, the bin and cycle store, and the parking area would tend to dominate the space to the front of the new building. He considered these factors would also harm the setting of Southlands, and would be incongruous within the Conservation Area with its predominance of handsome 19th century villas. To his mind the development would fail to conserve the character or appearance of the Conservation Area, contrary to the aims of DSP Policies CO6 and CO7 and ELP Policies C1, C2 and DG1.

### *The living conditions for future occupants*

The Inspector considered that the units would have limited outlooks, particularly from the bedrooms which would each be lit by a single roof light. He was sceptical that there would be adequate headroom in more than perhaps half of the bedroom area, which to his mind would make these rooms cramped and uncomfortable. Furthermore, none of the proposed units would have any private outdoor space, nor would their relatively large glazed openings be screened from overlooking by others using the communal space. He concluded that the proposed development would not provide acceptable living conditions for future occupants in terms of internal layout, outlook and privacy and would not accord with the aims of ELP Policy DG4.

### Highway safety

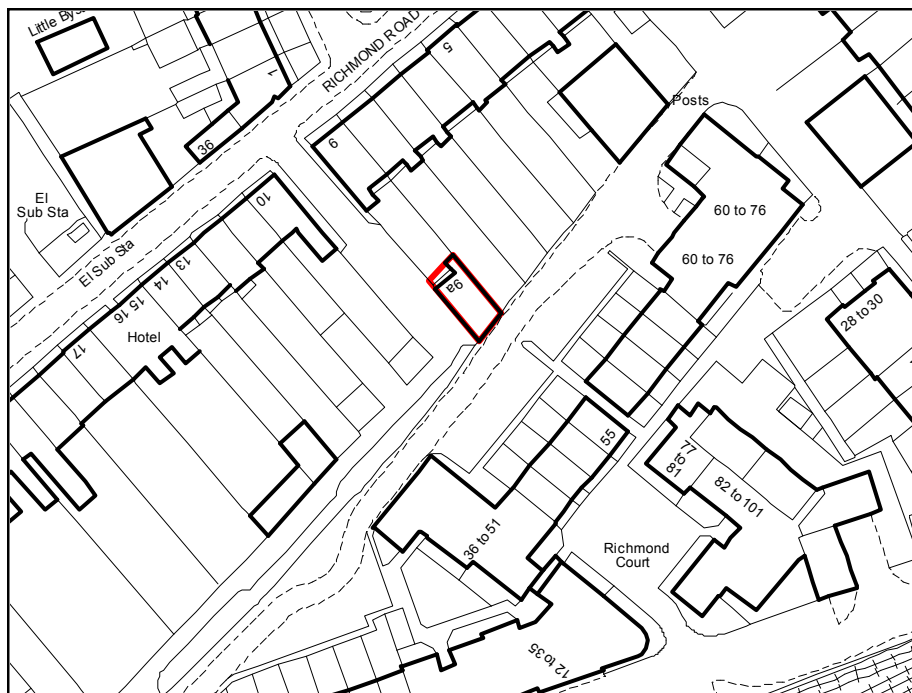
The access to and from the appeal site onto Fore Street is at a complex junction with heavy traffic. 25 residential units currently use the access. The Inspector saw that there was limited visibility of and from the site access, particularly for drivers of vehicles turning left from Polsloe Road. He considered it would be undesirable for there to be any significant increase in traffic movements on this uncontrolled junction with poor visibility. He concluded that the proposals would have a significantly adverse effect upon highway safety. This would be in conflict with the aims of DSP Policy TR10.

### Other matters

The appellant argued that the appeal site was a piece of previously developed land, and that the principle of development was therefore acceptable under the objective of PPS3, as it then existed, to make effective use of land. However, PPS3 was amended by Ministerial Statement of 9 June 2010, which amongst other things changed the definition of previously developed land in Annex B to exclude private residential gardens. This change clearly removed a factor that may have favoured a development proposal such as this, although he could not accept the Council's argument that it went so far as to introduce a presumption against such development.

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### 9A Richmond Road, Exeter, Devon, EX4 4JA.



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**Reference No:** 09/1407/03

**Proposal:** Alteration to pitch of roof (retrospective).

**Application Decision:** Delegated Refusal

**Type of Appeal:** Written Representations

**Appeal Decision:** **ALLOWED** subject to conditions

**Grounds:**

The main issue was whether the development would preserve or enhance the character or appearance of St Davids Conservation Area (CA) and preserve the setting of the Grade II listed buildings at 1 to 24 Richmond Road.

The appeal site lies to the rear of 9 Richmond Road. Until recently the building on the site comprised a row of four garages with a flat above. In 2008 permission was granted for alterations to this building to include a two storey extension, raised ridge height, installation of rooflights, windows and door to provide two dwellings (Ref. 08/0676/03).

The main differences between the 2008 approval and the appeal scheme was that the roof height of the building had been increased by about 100mm, the eaves height had increased by about 1.2m and the roof pitch had changed from an angle of about 47° to 35°.

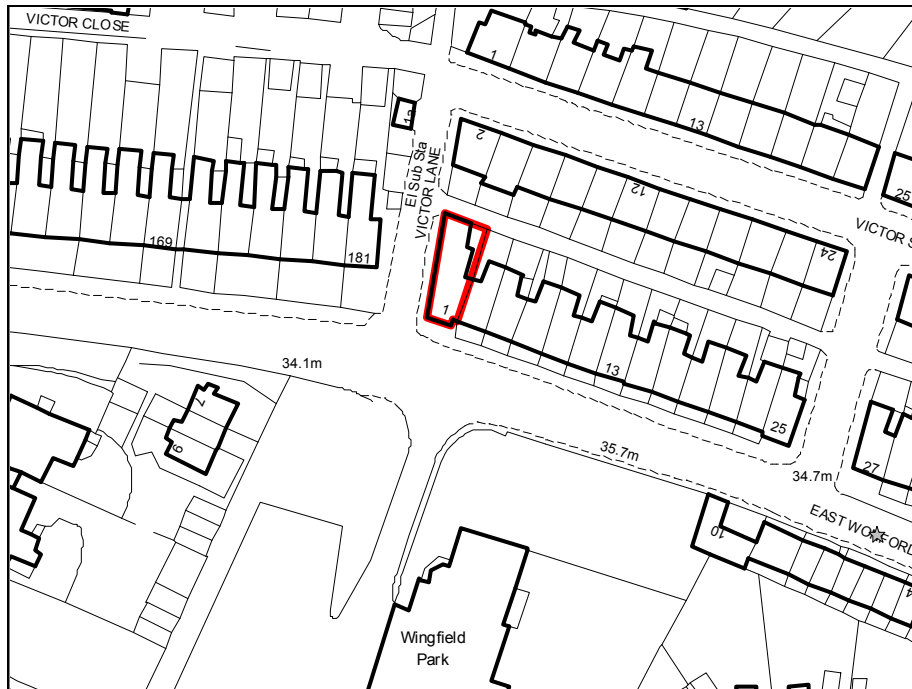
The Inspector did not consider the enlarged building to be materially different in character and appearance to the development already permitted. In his view there was no cogent evidence to demonstrate that it had harmed any important qualities of the building or that the alterations to the roof pitch were detrimental to the character or appearance of the CA or the setting of neighbouring listed buildings.

The Inspector identified a number of discrepancies with the plans and commented that it may be necessary for the appellant to submit a further retrospective application. However, he stated that he had determined the scheme on its own planning merits.

The appeal was allowed subject to conditions clarifying the eaves height and requiring compliance with the approved plans in respect of external finish.

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**Hairlines, 1 East Wonford Hill, Exeter, Devon EX1 3BS**



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**Reference No: 09/1496/03**

**Proposal:** Erection of a conservatory on the back of the hair salon for use as a beauty room.

**Application Decision:** Delegated Refusal

**Type of Appeal:** Written Representations

**Appeal Decision: DISMISSED**

**Grounds:**

The main issues were whether the conservatory would adversely affect  
a) the appearance of the host property and the adjoining properties and thereby fail to contribute to local townscape distinctiveness; and  
b) the light, outlook and privacy of neighbours at 3 East Wonford Hill.

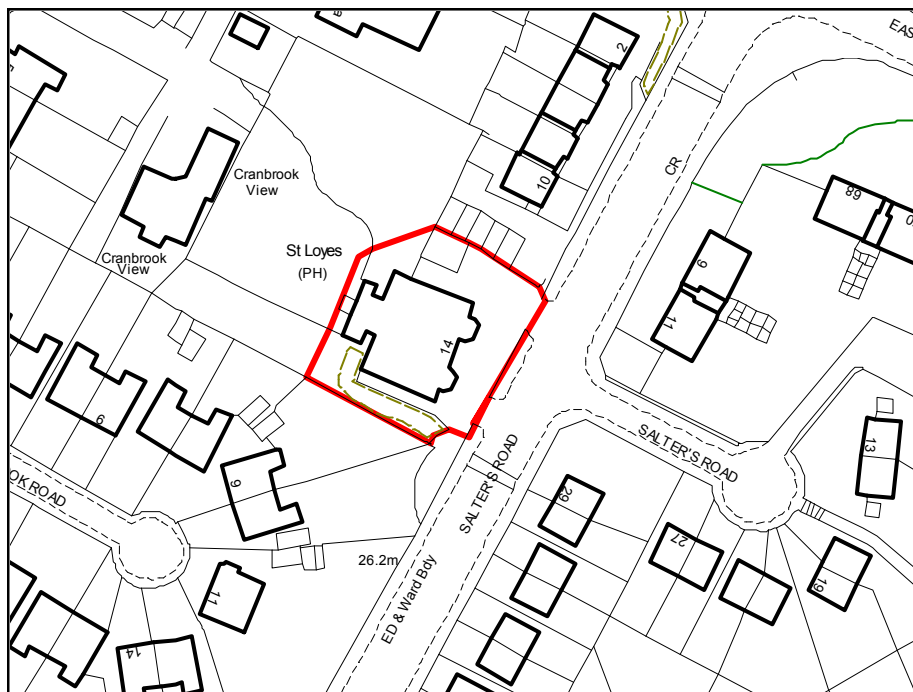
In relation to the first issue, the Inspector considered the conservatory's design incorporating white uPVC frames and extensive glazing, would be at odds with the more traditional design of the brick built properties that make up the character of the terrace along this part of East Wonford Hill. Also, by partly filling in the gap between the rear extensions to the host property and the adjoining one; by taking away a significant part of the limited rear open space between properties; and by being sited above street level, the proposed conservatory would be over dominant and thereby erode local

distinctiveness in this part of Exeter. Consequently, he shared the Council's view that this proposal would fail to meet the relevant Development Plan Policies that require development to add to local distinctiveness, avoid commonplace designs, and to improve the quality of Exeter's townscape.

With regard to the second issue, the Inspector noted that the conservatory would be sited very close to a kitchen and a dining room window at 3 East Wonford Hill, and immediately next to the small outdoor space for that property. Having regard to the Council's SPD "Householder's Guide to Extension Design", his judgement was that the size, proximity and commercial use of the conservatory would seriously reduce the outlook, light and privacy that the occupiers of No 3 should be able to reasonably expect in a predominantly residential area.

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**St Loyes Hotel/Public House, 14 Salter's Road, Exeter EX2 5JH**



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**Reference No: 09/1782/03**

**Proposal:** Conversion of hotel/public house to provide eight 1-bedroom apartments including bin storage, bike and cycle storage, laundry, car-parking and associated landscaping.

**Application Decision:** Delegated Refusal

**Type of Appeal:** Written Representations

**Appeal Decision: DISMISSED**

## **Grounds:**

The main issues were

- i) the effect of the proposals on the character and appearance of the appeal site and of the Heavitree Conservation Area, and
- ii) whether the development would provide satisfactory living conditions for future occupants of the apartments.

### *Character and appearance*

The appeal property was built as an hotel/public house in the 1930s in a distinctive *art deco* style. It has been disused for some years. The Inspector agreed that it was a handsome building deserving a degree of protection.

In terms of the appearance of the building itself, little would change apart from the addition of the two dormers, which would be relatively inconspicuous at the back. The overall symmetry of the building would be retained, and the Inspector did not consider any significant harm would be caused by this alteration.

The change to residential use would mean that the parking areas to the front and side of the building would be used more intensively. To the Inspector's mind this would create a harsh environment for a residential development, and the nature of the scheme was such that the opportunity for landscaping was very limited indeed. The Inspector concluded on this issue that the proposals would cause significant harm to the character and appearance of the appeal site, and of the Heavitree Conservation Area, contrary to Development Plan policies.

### *Living conditions for future occupants*

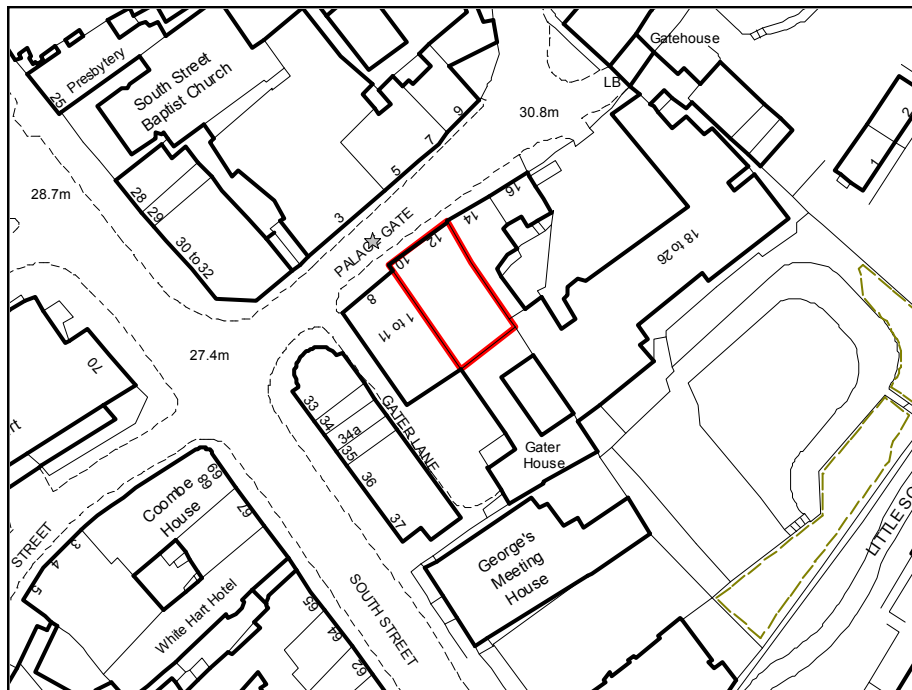
The Inspector considered the ground floor flats would have a poor outlook onto the car park and would have little privacy from passers-by. The common amenity spaces would not be readily accessible for occupants, and would receive little sunlight. The lower level amenity space adjacent to part of the parking area would be particularly unattractive. He accepted that the provision of outdoor amenity space was to an extent a matter of choice for future purchasers/occupants. However, in this case it appears to him that the poor provision arose largely from the cramped nature of the development, rather than from the lack of opportunity to provide amenity space. He did not consider that public open space in the locality would provide an acceptable substitute.

The Inspector agreed with the Council that the balcony arrangement was unacceptable because the presence of people on balconies adjacent to other dwellings would result in loss of privacy and disturbance.

The Inspector concluded on this issue that the proposals would not provide satisfactory living conditions for future occupants of the proposed apartments.

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## 10-12 Palace Gate, Exeter EX1 1JA



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**Reference No: 09/1847/05**

**Proposal:** The retention of 3 temporary promotion banners

**Application Decision:** Delegated Refusal

**Type of Appeal:** Written Representations

**Appeal Decision: DISMISSED**

**Grounds:**

The main issue was whether the 3 banners would preserve the setting of the nearby listed buildings and the character or appearance of the Exeter Central Conservation Area.

10-12 Palace Gate is a 2-storey building in use as a restaurant known as Oriental Buffet. The building has a full width fascia sign and a projecting box sign at the western nearest to South Street. The 3 vertical banners are hung at regular intervals between first floor windows.

Palace Gate is an historic street, giving access to the Bishop's Palace and to the Cathedral Close. It is lined by listed buildings, some of outstanding interest. Of particular note is the 14th century grade 1 listed Palace Gatehouse, which closes the view from South Street. All the listed buildings in Palace Gate form a group and the street provides their shared setting. The sheer variety and quality of this group gives a distinctive character to this part of the Central Conservation Area. The Inspector



considered the appeal property, while not itself listed, to be an attractive building in its own right which contributes positively to the character of the street scene. Altogether this part of the city is an important heritage asset, of considerable significance and great architectural, historic and cultural value.

The Inspector noted that the townscape analysis attached to the Council's conservation area appraisal identified the notable view from South Street towards the Palace Gatehouse. No.10-12 features in this view. He considered the banners to be intentionally eye-catching. They intrude significantly into this important view, reducing the quality of the street scene and obscuring details of the adjoining listed buildings. He also considered the prominence of these modern plastic banners when seen against the backdrop of the 14th century Gatehouse to be incongruous and entirely inappropriate. They undermine the quality of the group and prevent the full appreciation of this important listed building in its setting, thereby also undermining the distinctive character of the Conservation Area.

The Inspector considered that the banners have such a negative impact on the character of the street that their retention would seriously undermine the historic and cultural value of the street, reduce the quality and interest of the setting of important listed buildings and diminish the significance of the area as a valuable heritage asset. This would be entirely contrary to the objectives of national planning guidance and local planning policies intended to protect the historic environment and would clearly not be in the public interest.

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### **Devon and Exeter Squash Club, Prince of Wales Road, Exeter, Devon EX4**



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**Reference No: 10/0006/03**

**Proposal:** Siting of a mobile catering facility.

**Application Decision:** Delegated Refusal

**Type of Appeal:** Written Representations

**Appeal Decision:** DISMISSED

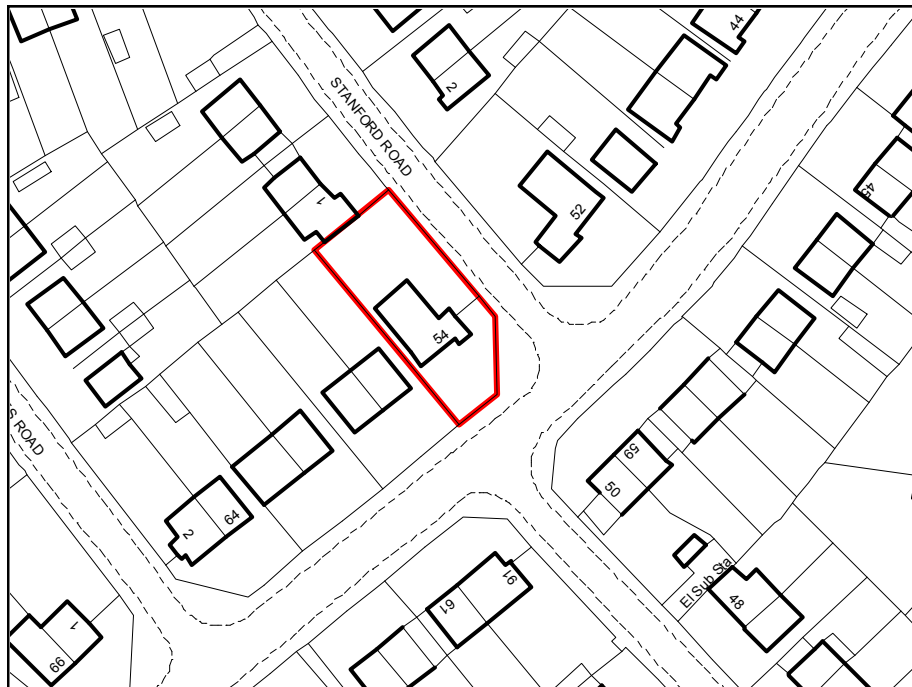
**Grounds:**

The main issue was whether the mobile catering facility would preserve or enhance the appearance and character of the Longbrook Conservation Area.

The mobile catering facility is located in front of the Squash Club on a landscaped area between the Road and the Club. The Inspector noted that it is easily seen from Prince of Wales Road; it does not resemble a parked car but is quite clearly a commercial operation. The facility's rectangular shape, its flat roof, white colour, and open sided vending is at odds with the prevailing form and character of development in that part of the Conservation Area. The Inspector was in no doubt that the retention of this catering facility would not even preserve let alone enhance the appearance and character of the Conservation Area. Neither would approval of the proposal meet the relevant Structure and Local Plan Policies that require development to promote locally distinctive designs and improve the quality of Exeter's rich townscape that is so treasured by residents and visitors. He therefore dismissed the appeal.

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**54 Broadfields Road, Exeter, Devon EX2 5RG**



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**Reference No:** 10/0089/03

**Proposal:** Erection of a detached dwelling, parking, access to highway and associated works.

**Application Decision:** Delegated Refusal

**Type of Appeal:** Written Representations

**Appeal Decision:** DISMISSED

**Grounds:**

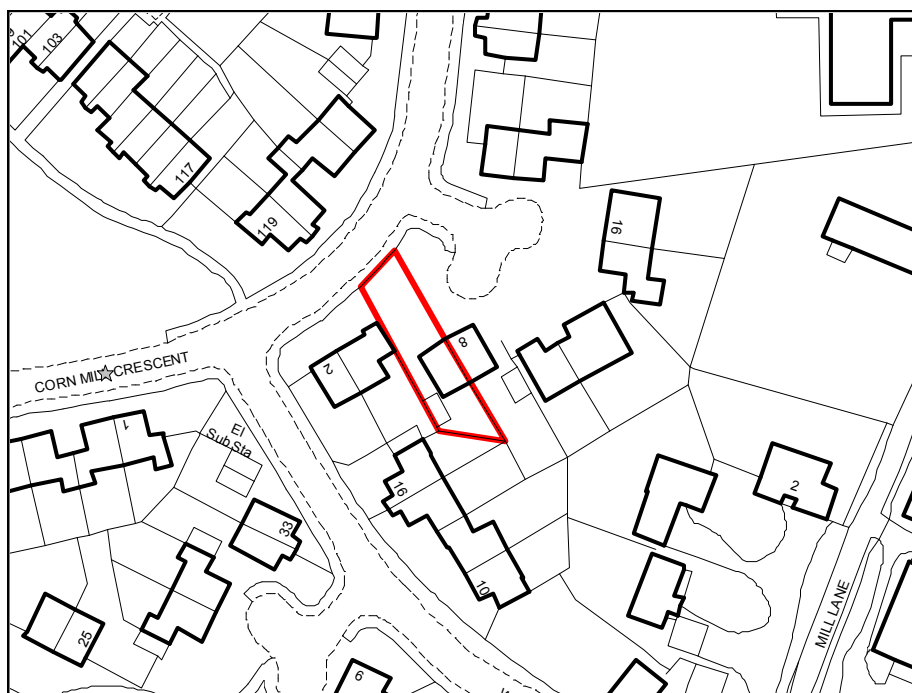
The main issue was whether the proposal would be a cramped form of development adversely affecting the street scene and neighbours' amenities.

The Inspector fully accepted the Council's argument that the proposed development would be cramped against its side boundaries and against adjoining dwellings. The parking arrangement at the front of the dwelling would add to this cramped appearance. The resulting layout would be at odds with the generally much more spacious layout of the Broadfields estate, particularly at street junctions. Forcing a dwelling into a gap between existing dwellings would also impact on neighbours' amenities. He also agreed with the Council that the proposal would have a negative impact on the privacy, outlook and light that occupiers, now and in the future, at the host dwelling and at No 1 Stanford Road, should be able to enjoy.

For these reasons he concluded that the proposal fell below the standard of development expected by ELP Policies DG1 and 4.

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## 6 Cornmill Crescent, Alphington, Exeter, Devon EX2 8TW



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**Reference No:** 10/0275/03

**Proposal:** Single storey side extension (including front porch and rear family room).

**Application Decision:** Delegated Refusal

**Type of Appeal:** Householder

**Appeal Decision:** ALLOWED subject to conditions.

### **Grounds:**

The main issue was whether the proposed extension would be sufficiently sympathetic to the appearance and character of the appellant's house, and that of other houses in Cornmill Crescent.

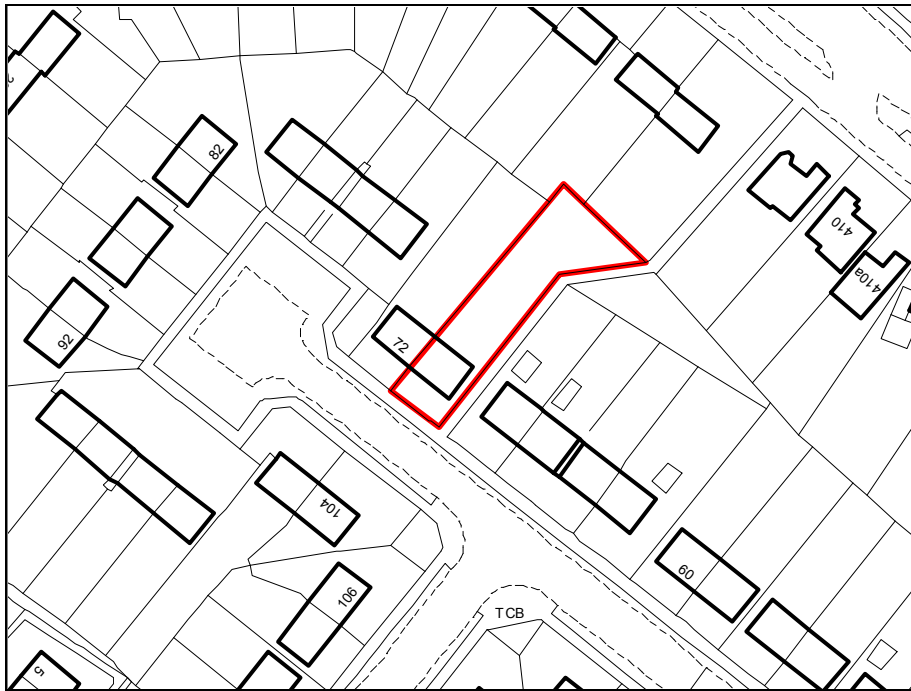
The Inspector noted that the proposal did not strictly comply with guidance in the Council's SPD *A Householder's Guide to Extension Design* in that the side extension would be slightly more than half the width of the house and would project forward of the front wall. However, he attached weight to the appellant's claim that what he proposed varied very little from what could be carried out as "permitted development". The Inspector also took into account the variety of extensions that have been carried out to other houses in the street, some of which could not be described as subservient.

The Inspector concluded that the scale, mass and roof form of the proposed extension would not be materially harmful to the appearance of the appellant's house or others in Cornmill Crescent.

The appeal was allowed subject to conditions requiring commencement within three years and the use of matching materials.

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**70 Lower Wear Road, Exeter EX2 7BG**



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**Reference No: 10/0516/03**

**Proposal:** Two-storey side extension.

**Application Decision:** Delegated Refusal

**Type of Appeal:** Householder

**Appeal Decision: ALLOWED subject to conditions**

**Grounds:**

The main issue was the effect of the proposed development on the character and appearance of the area.

The Inspector noted that this semi-detached house featured corrugated metal sheeting on the first-floor elevations and roof. Many similar houses on the estate have a rendered finish and tiled roofs replacing the corrugated sheeting. Single-storey side

extensions are common. The other house in the pair, no.70, had undergone both these improvements.

The Inspector considered that the continued roof ridge and front building line would be more sympathetic and appropriate to the existing building than would a design featuring a lower ridge and a stepped-back front elevation. In his opinion, these ways of demonstrating subservience in an extension are not always appropriate, and would yield a less satisfactory appearance in this case. In his view, the proposed design had the merit of preserving the uniform building line of the housing blocks which characterised the layout of the estate.

The Inspector considered that the design merits of the proposed scheme outweighed the guidance regarding setbacks of side extensions in the Council's SPD *A Householder's Guide to Extension Design*. The proposed extension complied with the principal element of this guidance, namely that it should be no more than half the width of the original house.

One detail of the proposed design was accepted by the appellant to be capable of improvement, namely the round window in the new flank elevation. The Inspector considered a condition requiring a more appropriate design to be reasonable and justified in the interests of improving the appearance of the proposed extension.

The appeal was allowed subject to conditions requiring commencement within 3 years, the submission and approval of a revised drawing showing an amended design for the window in the flank elevation and the submission and approval of samples of materials.

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## 10 South Avenue, Exeter, Devon EX1 2DZ



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**Reference No: 10/0534/03**

**Proposal:** Ground floor extension.

**Application Decision:** Delegated Refusal

**Type of Appeal:** Householder

**Appeal Decision: ALLOWED subject to conditions**

### **Grounds**

The main issue was whether the proposed development would preserve or enhance the character or appearance of the Baring Crescent and Mont le Grand Conservation Area.

The Inspector did not agree with the Council that the original buildings in the Conservation Area were largely unaltered. He observed numerous small additions and side extensions to the houses within South Avenue. He thought the Council had overstated the importance of symmetry in the street scene. He did not consider that the addition of a very modest side extension would significantly harm the character and appearance of either the existing buildings or the wider townscape.

The Inspector noted that the extension had been designed to incorporate features, such as an arched window, to replicate the detailed form and appearance of the host building. It would be set back from the front elevation of the existing building ensuring that the new addition would appear as a subservient feature. He did not consider that

the resulting development would erode the distinction between pairs of semi-detached houses, or lead to a terracing effect, because of the extension's small size, single storey height and setback.

He concluded that the proposed development would preserve the character and appearance of the Conservation Area and would not conflict with DSP Policies CO6 and CO7 or ELP Policies C1 and DG1 and the Council's adopted SPD.

The appeal was allowed subject to conditions requiring commencement within three years, compliance with approved plans and the use of matching materials.

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**APPEALS LODGED**

Application	Proposal	Start date	Received date
36 Lower North Street, Exeter, EX4 3EU	Conversion of attic space to provide bedroom with new staircase, associated internal alterations and provision of rooflight to rear and timber decking to provide access from first floor to rear garden.	09/07/2010	12/07/2010
107-109 Beacon Avenue, Exeter, EX4 8LT	Development to provide one storey building comprising three self contained flats	13/07/2010	13/07/2010
6 Cornmill Crescent, Exeter, EX2 8TW	Ground floor extension and garage on west elevation and porch on north elevation	13/07/2010	14/07/2010
10 South Avenue, Exeter, EX1 2DZ	Ground floor extension on north elevation	14/07/2010	15/07/2010
27 Plassey Close, Exeter, EX4 5HE	Relocation of fence and extension of cartilage to south of dwelling.	14/07/2010	15/07/2010
13 Walsingham Road, Exeter, EX2 7RH	Fence to north east and south east elevations	22/07/2010	22/07/2010
36 Norwich Road, Exeter, EX4 2DN	Two storey extension on west elevation	26/07/2010	26/07/2010
Buffet City, George Street, Exeter, EX1 1BU	Internally illuminated fascia sign and 2 non illuminated panel signs at north entrance to underpass	28/07/2010	28/07/2010



Higher Duryard House, Higher Duryard, Pennsylvania Road, Exeter, EX4 5BQ	Detached bungalow and detached garage	03/08/2010	03/08/2010
16 Hereford Road, Exeter, EX4 2EX	Two storey extension on south elevation and window on west elevation	05/08/2010	05/08/2010
10 Honey Lane, Exeter, EX1 3TB	Redevelopment to provide five dwellings, access to highway and associated works	06/08/2010	06/08/2010
8 Tresillian Gardens, Topsham, Exeter, EX3 0BA	Ground floor extensions on north elevation	13/08/2010	13/08/2010
8 Hamilton Road, Topsham, Exeter, EX3 0LH	Two storey extension to south west elevation	16/08/2010	16/08/2010
71 Roseland Avenue, Exeter, EX1 2TN	Two storey extension on east elevation	16/08/2010	17/08/2010
30 Edwin Road, Exeter, EX2 8JF	Ground floor extension on south east elevation	17/08/2010	17/08/2010

**RICHARD SHORT**  
**HEAD OF PLANNING AND BUILDING CONTROL**  
**ECONOMY AND DEVELOPMENT DIRECTORATE**

**Local Government (Access to Information) Act 1985 (as amended)**

**Background papers used in compiling the report: -**

Letters, application files and appeal documents referred to in report.

Available for inspection from: -

Planning Services, Civic Centre, Paris Street, Exeter (01392) 265223

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