



Exeter City Council

To the Chair and Members
of the Planning Committee

Philip Bostock, Chief Executive

Bindu Arjoon, Assistant Chief Executive

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Our ref:

Your ref:

A meeting of the **PLANNING COMMITTEE** will be held in the **RENNES ROOM, CIVIC CENTRE, PARIS STREET, EXETER** at **5.30 pm** on **MONDAY 31ST OCTOBER 2011** 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.

A G E N D A

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

1

MINUTES

To sign the minutes of the meetings held on 25 July 2011, 5 September 2011 and 3 October 2011.

2

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.

3 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).

4 **PLANNING APPLICATION NO: 11/1414/03 - MORRISONS SUPERMARKET,
PRINCE CHARLES ROAD, EXETER, EX4 7BY**

To consider the report of the Head of Planning and Building Control. 1 - 8

(Report circulated)

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WITHDRAWN APPLICATIONS**

To consider the report of the Head of Planning and Building Control. 9 - 32

(Report circulated)

6 **ENFORCEMENT PROGRESS REPORT**

To consider the report of the Head of Planning and Building Control. 33 - 34

(Report circulated)

7 **APPEALS REPORT**

To consider the report of the Head of Planning and Building Control. 35 - 42

(Report circulated)

8 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 22 November 2011 at 9.30 a.m. The Councillors attending will be P. J. Brock, Mrs Henson and Macdonald.

DATE OF NEXT MEETING

The next scheduled meeting of the Planning Committee will be held on **Monday 5 December 2011** 5.30 pm. in the Civic Centre.

Membership -
Councillors Bialyk (Chair), Macdonald (Deputy Chair), P J Brock, Clark, Denham, Edwards, Mrs Henson, Mrs Morrish, Newby, Prowse, Spackman, Sutton and Winterbottom

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Agenda Item 4

ITEM NO. 4

COMMITTEE DATE: 31/10/2011

APPLICATION NO: 11/1414/03 FULL PLANNING PERMISSION

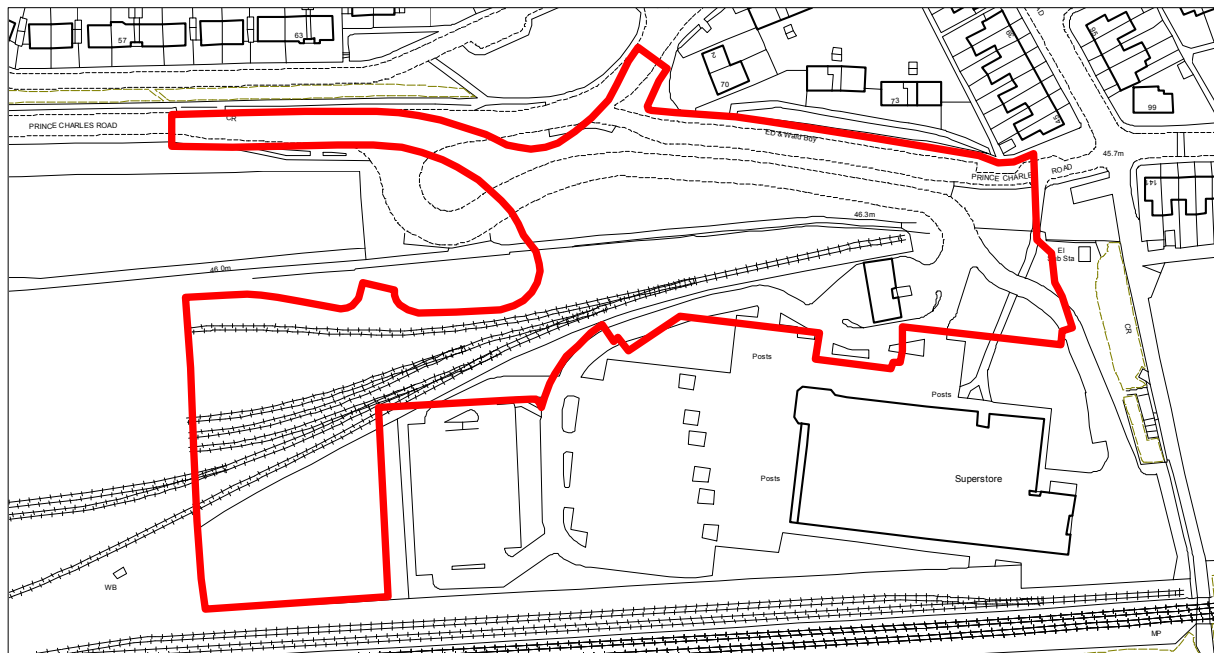
APPLICANT: Wm Morrison Supermarkets plc

PROPOSAL: Extension to store on north elevation, roundabout and road access, relocation of petrol filling station with car wash and alterations to car park

LOCATION: Morrisons Supermarket, Prince Charles Road, Exeter, EX4 7BY

REGISTRATION DATE: 31/08/2011

EXPIRY DATE: 30/11/2011



Scale 1:2500

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HISTORY OF SITE

There is an extensive history relating to the use of the application site for retail purposes. Consequently only the recent history has been listed below -

09/0772/03 -	Alterations to access road layout, provision of lighting columns and additional car parking spaces through the site and electricity substation in north east corner	PER	18/12/2009
09/1592/03 -	Two storey extension on north elevation, extension on east elevation, lobby entrance on north west corner, wall on east boundary and additional parking	PER	24/06/2010
11/0179/37 -	Amendments to north and west elevations to include reduction in size of entrance lobby, amended shape of warehouse, replacement of brickwork to entrance lobby with insulated cladding system and additional canopy to entrance lobby. (Non Material Minor Amendment Ref No. 09/1592/03 granted: 24/06/2010)	PER	11/03/2011

DESCRIPTION OF SITE/PROPOSAL

The application site comprises part of the site of the existing Morrisons retail store on the south side of Prince Charles Road (principally the internal road and petrol filling station), some former railways sidings (lying between the existing allotments and the current store site), and land comprising the existing road access off Prince Charles Road and highway land including a stretch of Prince Charles Road and its junction with Calthorpe Road.

The proposal comprises the following 3 main elements -

- Replacement of the existing access road into the store from Prince Charles Road with a new 4-arm roundabout, one arm of which would lead to a smaller roundabout giving direct access into the store car park, and further accesses to retained Network Rail land (and a replacement vehicular access into the allotments).
- Relocation of the Store's Petrol Filling Station from its current position in front of the store to a position at the western end of the site on land that currently forms part of the store car park and former railway sidings, and associated changes to the stores car park layout (increasing the number of spaces from 303 to 399).
- A small extension to the north (front) elevation of the main store building to provide a dry cleaners (115 sq metres).

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following documents -

- Design and Access Statement
- Planning Statement
- Transport Assessment
- Air Quality Assessment
- Geoenvironmental Appraisal
- Acoustic Assessment
- Flood Risk Assessment
- Ecology Survey
- Waste Management Statement
- Arboricultural Implications Assessment and Method Statement

REPRESENTATIONS

2 representations have been received raising the following issues -

- Inadequacy of proposed replacement access to the allotments and potential impact of solutions in terms of loss of allotment plots
- Need to maintain constant access to allotments and prevent obstruction
- Security of the allotments
- Existence of better alternatives for replacement allotment access
- Disability access issues relating to pay kiosk for filling station, filling station toilet and general suitability of all pedestrian/cycle access routes into the site for scooter/wheelchair users

CONSULTATIONS

Head of Contracts and Direct Services - raise concerns regarding the proposed replacement vehicular access to the adjoining allotment site in terms of its functionality and security.

Network Rail - No objection in principle. Highlights detailed issues in respect of developer's responsibilities with regard to Network Rail land.

English Heritage - No comments - Suggest application be determined in accordance with national and local policy guidance, and on the basis of the Council's own specialist conservation advice.

Head of Environmental Health - Comments on noise impacts of the development and recommends conditions relating to hours of construction/deliveries, implementation of mitigation measures contained in submitted Air Quality Assessment, and contaminated land.

County Director of Environment, Economy and Culture - The County Council as Highway Authority has no objection in principle to the application subject to detailed design approval. A standard condition is recommended with regard to the submission for approval of detailed plans.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

PPG13 - Transport

PPS1 - Delivering Sustainable Development

PPS4 - Planning for Sustainable Economic Growth

PPS5 - Planning for the Historic Environment

PPS9 - Biodiversity and Geological Conservation

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

ST10 - Exeter Principle Urban Area

CO6 - Quality of New Development

CO7 - Historic Settlements and Buildings

CO8 - Archaeology

CO9 - Biodiversity and Earth Science Diversity

CO15 - Air Quality

CO16 - Noise Pollution

TR1 - Devon Travel Strategy

TR2 - Coordination of Land Use/Travel Planning

TR5 - Hierarchy of Modes and Transport Assessment

TR7 - Walking and Cycling

TR10 - Strategic Road Network and Roadside Service Areas

SH1 - Shopping Facilities (Sequential Approach)

Exeter Local Plan First Review 1995-2011

S1 - Retail Proposals /Sequential Approach

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T8 - Safeguarding Former Railway Land and Access to Rail

T9 - Access to Buildings by People with Disabilities

T10 - Car Parking Standards

C5 - Archaeology

EN2 - Contaminated Land

EN3 - Air and Water Quality

DG2 - Energy Conservation

DG3 - Commercial Development

OBSERVATIONS

The main considerations in respect of the application relate to highway/transportation issues, visual impact/landscaping/ecology and the relationship to/impact upon the amenity of surrounding properties.

Highway/Transportation Issues

The Transport Assessment carried in relation to the consented extension of the store identified that whilst the impact on the local transport network was acceptable it would result in the access junction onto Prince Charles Road operating close to its capacity with potential for queues forming on the store access road during busy periods. The current proposal has been extensively discussed with the Highway Authority and various options, including traffic signalisation, were considered before choosing the current proposal as the most appropriate solution. The Highway Authority have confirmed that the current proposal is considered acceptable in principle from a highway/transportation perspective. The proposed arrangement, incorporating two roundabouts, has been designed to eliminate the convoluted current access to the store and improve safety whilst also introducing additional capacity to the junctions. Future proofing the design of the junction/access in this way thereby facilitates the potential redevelopment of adjoining Network Rail land that might be considered surplus to operational requirements in the future. The layout allows for the retention of the existing Toucan crossing on Calthorpe Road thereby facilitating a safe access route from the residential areas north of the store onto Prince Charles Road and on into the site. Each arm of the roundabout incorporates a central island with pedestrian/cycle crossing points incorporating dropped kerbs, and provides for 3 metre wide shared footway/cycle ways on all approaches.

Within the site the relocation of the Petrol Filling Station will reduce internal congestions and prevent customers queuing for petrol from blocking access to and from the store. The reconfiguration of the parking layout results in an increase in parking provision from 303 to 399 spaces, of which 24 are for disabled parking and 8 are specifically for parent/child parking. 10 additional cycle parking spaces are also proposed located at the front of the store. The Exeter Walking and Cycling Steering Group identified the desirability of securing a footpath connection in the western corner of the site onto the existing footpath running through to Beacon Avenue. This is not feasible as this land is not within the control of the applicant. However, the proposal does provide a shared footway/cycle path from the store along Prince Charles Rd into St Katherine's Rd, from which access can then be obtained to the footpath.

The existing bus stops on Prince Charles Road would be relocated in the same general vicinity to take into account the new road layout whilst continuing to provide bus stops serving both directions.

Representations have been received expressing concern about the impact of the proposal upon users of the allotments adjoining the site, particularly with regard to access arrangements and security. Access to this end of the allotments is currently obtained via a track off the existing store access road. Although a replacement access is shown on the submitted drawings opposite the site of the relocated petrol filling station its alignment would not allow for convenient/maintenance access to this end of the allotment site. This matter has been raised with the applicant who is in discussion with the Council's Head of Estate's Services over a potential solution. It is anticipated that a solution involving realignment of the proposed replacement access should be possible without any significant impact on the overall new road layout proposed. The outcome of these negotiations will be reported to Committee. It is not considered that closure of the current access and its replacement with similar fencing to that which currently exists would significantly compromise security of the allotment site generally. The new access would be more remote from Prince Charles Road and by virtue of this, and its design, would not be a desirable pedestrian access.

Consequently a grampian condition is proposed relating to the provision of a separate pedestrian access to the allotment site off Prince Charles Road itself.

Relationship to Surroundings Properties

On the whole, as a result of the proposed works, road surfaces in the locality will be moved further away from surrounding residential properties. The exception being the realigned part of Calthorpe Road approaching the new roundabout which will move slightly closer to numbers 2 Calthorpe Road and 70 Prince Charles Road. Notwithstanding this it is not considered that the new road layout will have any significant adverse impact upon the amenity of surrounding residential properties once constructed. It is inevitable that a proposal of this nature will generate significant construction noise but it is hoped that the impact of this can be minimised through a condition restricting working hours.

The store itself is more remote from the surrounding properties and therefore the small extension to the front of the building should not have any significant impact. The relocated petrol filling station, which will include a car wash facility, is separated from the nearest residential properties by the railway line to the south and the allotments and Prince Charles Road to the north. The car wash element is positioned on the northern most part of the petrol filling station maximising its distance from surrounding properties. The proposed limitation on construction working hours via a condition should minimise any potential disturbance during construction.

The Head of Environmental Health has raised a number of queries regarding the submitted noise impact assessment which have been relayed to the applicant for clarification and their response will be reported at Committee. It is likely that a condition will be required relating to plant noise levels associated with the development.

The submitted Air Quality Assessment includes mitigation measures to minimise any potential impact on air quality in the locality during the construction process. A condition is proposed requiring the development to be carried out in accordance with the proposed mitigation measures.

Visual Impact/landscaping/ecology issues

The proposal will result in the loss of some existing trees and vegetation at the site. However, it also creates the opportunity for co-ordinated replacement planting and the establishment of new landscaped edge between the store site and the new roundabout and road alignment. This represents an opportunity to visually enhance the entrance into the store and ensure that the new road layout is appropriately assimilated into the surrounding area. The creation of the new roundabout and road alignment will also create further opportunities for landscaping to replace sections of redundant road and hardsurfaces to the north of the new road alignment. A condition is proposed to require submission and implementation of a comprehensive landscaping scheme associated with the proposed development.

The proposal creates a new parcel of land between the re-aligned Prince Charles Road and the arm of the roundabout leading into the store which will be under the control of Network Rail. Although a vehicular access to this land will be provided as part of this proposal there are no proposals regarding its development as part of this application. Given its prominence adjacent to the roundabout the visual impact of the boundary treatment of this land in the interim needs consideration. Consequently a condition is proposed requiring the submission and approval of the details of the boundary treatment of this land.

The small extension to the store itself to create the dry cleaners will be carried out in matching material to those used on the existing building and thereby will be readily assimilated into the overall appearance of the store. Essentially it will result in the

introduction of a greater proportion of glazing along this section of the north elevation of the building.

The submitted Ecological Survey identified the presence of a small colony of slow worms and common lizards on part of the site and identifies the appropriate mitigation method as trapping and relocation to a suitable alternative habitat off site. A condition would be required to ensure that this is carried out in accordance with the recommendation of the report and at an appropriate time prior to the commencement of works on site. In the process of negotiations regarding the alternative access to the allotment site the presence of badger activity has been noted. This has been raised with the applicant and needs addressing in an addendum to the submitted Ecological Survey. A further update on the applicant's response will be reported at Committee.

Southern Area Working Party (14/09/11)

Members considered that the proposal would enhance vehicular and pedestrian access arrangements to the store and noted that additional landscaping would be secured by condition. Members noted that no objections to the proposal had been received. Subject to a positive consultation response from the Highway Authority Members supported approval under delegated powers.

Southern Area Working Party (12/10/11)

Members noted that subsequent to the last Working Party representations had been received to the proposal, principally relating to the impact on access to the adjoining allotments. Members noted that negotiations over this matter were taking place with the applicant and that as a result of the objection the application would now have to be determined by Planning Committee.

Conclusion

Subject to a satisfactory outcome of negotiations regrading the replacement access to the allotments, and the detailed response of the Highway Authority, it is considered that the proposal is acceptable in terms of highway impact, visual/landscape impact and relationship to surrounding properties. Overall the proposal will provide an enhanced access to the store that can accommodate the level of traffic generated with additional capacity for potential future developments in the vicinity.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C12 - Drainage Details
- 4) C35 - Landscape Scheme
- 5) C38 - Trees - Temporary Fencing
- 6) The proposed roads, footways, footpaths, cycle routes, junctions, verges, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate,

the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals.

- 7) No part of the development hereby approved shall be brought into its intended use until the visibility splays, on-site parking (including cycle parking), turning, loading and unloading facilities have been provided in accordance with the requirements of this permission. Thereafter the said parking facilities shall be retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 8) C70 - Contaminated Land
- 9) Prior to the commencement of the development hereby approved a mitigation scheme incorporating the recommendations set out in the submitted Air Quality Assessment dated June 2011 shall be submitted to and approved in writing by Local Planning Authority. Thereafter the development shall be carried out in accordance the approved mitigation scheme.
Reason: To ensure that the potential impact of the development on air quality in the locality is minimised in the interests of residential amenity.
- 10) Unless otherwise agreed in writing by the Local Planning Authority 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 interest of residential amenity.
- 11) Prior to the commencement of any phase of the development hereby approved details of the location and specifications of any proposed site compound, including any constituent buildings, shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.
Reason: To ensure that the location and design of any site compound are acceptable in terms of visual and amenity impact.
- 12) Prior to the commencement of the development hereby approved, and notwithstanding the provisions of condition 4 of this approval, details of the proposed boundary treatment between the new roads and the retained Network Rail land (including the timeframe for its erection) shall be submitted to, and be approved in writing by, the Local Planning Authority.
Reason: To ensure that the Local Planning Authority maintain control over the means of enclosure of this prominent piece of land in the interests of the visual amenity of the locality.
- 13) Prior to the new allotment access shown on drawing no..... being completed and made available for use no development or works shall take place on the site that shall block or otherwise impede pedestrian and vehicular access across the site between the allotments and the public highway.
Reason: To ensure that unimpeded access is maintained at all times in the interests of the users of the allotments.

- 14) The development hereby approved shall only be carried out in accordance with the recommendations contained in the submitted Ecology Survey dated July 2011. Prior to the commencement of the development a written report specifying how the identified mitigation measures have been implemented shall be submitted to, and be approved in writing by, the Local Planning Authority.
Reason: To ensure appropriate measures are implemented to minimise the ecological impact of the development.
- 15) The development hereby approved shall not commence until such time as a detailed scheme for the provision of a new pedestrian access into the adjoining allotment site directly from Prince Charles Road, including the timeframe for its delivery, has been submitted to and approved in writing by, the Local Planning Authority. Thereafter, no development or works shall take place on the site that shall block or otherwise impede pedestrian and vehicular access across the site between the allotments and the public highway until such time as the alternative access has been created and made available for use, in accordance with the approved scheme.
Reason: To ensure that an appropriate pedestrian access to the allotments is provided to replace the current access that is being closed as a result of the proposed development.
- 16) Limitation on plant noise as advised by Environmental Health in response to additional information requested from applicant.

**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

**EXETER CITY COUNCIL
PLANNING COMMITTEE
31 OCTOBER 2011**

**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
- 32 Discharge of conditions
- 37 Non Material Amendment
- 38 Extension to Extant Planning Consent

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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Application Number: 11/1458/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/19/2011
Location: Stone Lane Retail Park, Marsh Barton Road, Marsh Barton Trading Estate, Exeter, EX2 8LH
Proposal: Internally illuminated roof mounted letter fascia sign on north, south, east and west elevations, internally illuminated double sided circular interior sign on north and west elevations and interior vinyl sign on south and east elevations.

Application Number: 11/1271/03 **Working Party Date:** 9/13/2011 0
Decision Type Permitted **Decision Date:** 9/26/2011
Location: Former Wickes Building Supplies Ltd, Stone Lane Retail Park, Marsh Barton Road, Marsh Barton Trading Estate, Exeter, EX2 8LH
Proposal: Change of use to an area of car parking to create a permanent external tent display, erection of 3 metre high paladin fencing to the south of the site and trolley park

Application Number: 11/1289/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/28/2011
Location: JL Thomas & Co, Spring Gardens, Canal Banks, Exeter, EX2 8DX
Proposal: Replacement oxygen storage tank, vapourisers and plinth on western boundary.

Application Number: 11/1227/03 **Working Party Date:** 9/13/2011 0
Decision Type Permitted **Decision Date:** 9/29/2011
Location: Stone Lane Retail Park, Marsh Barton Road, Marsh Barton Trading Estate, Exeter, EX2 8LH
Proposal: Alterations to existing retail unit facades and to the car parking area.

COWICK

Application Number: 11/1507/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 9/29/2011
Location: 31 Dunsford Road, Exeter, EX4 1LQ
Proposal: Ground floor extension on south east elevation with velux windows (3), loft conversion with two dormer windows on south east elevation and replacement roof on garage on south west elevation. (Certificate of lawfulness for proposed development)

Application Number: 11/3144/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/17/2011
Location: Monterey, Little Johns Cross Hill, Exeter, EX2 9PL
Proposal: Tree no. Species Work
T1 Monterey Pine Remove six lowest branches overhanging balcony, shorten back four branches on southside over roof by 2m and two on north side to balance.

DURYARD

Application Number: 11/1310/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 10/12/2011
Location: 1 Celia Crescent, Exeter, EX4 9DR
Proposal: Conservatory on east elevation

Application Number: 11/1301/16 **Working Party Date:** 8/15/2011 0
Decision Type Permitted **Decision Date:** 10/19/2011
Location: Open Space, Bennett Square, Exeter, EX4
Proposal: Two storey residential development to provide ten self contained flats, access to highway and associated works.

Application Number: 11/1477/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/19/2011
Location: 24 Bettysmead, Exeter, EX4 8LN
Proposal: Conservatory on west elevation.

NEWTOWN

Application Number: 11/1387/03 **Working Party Date:** 9/14/2011 0
Decision Type Refuse Planning Permission **Decision Date:** 10/7/2011
Location: 34 Barnfield Road, Exeter, EX1 1RX
Proposal: Erection of single dwelling to east of existing dwelling

Application Number: 11/3137/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/7/2011
Location: 24 Spicer Road, Exeter, EX1 1SY
Proposal: Tree no. Species Work
 T1 T2 & T3 Ash Fell

Application Number: 11/1018/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/10/2011
Location: Waitrose, Gladstone Road, Exeter, EX1
Proposal: 5 internally illuminated letter signs, 1 non illuminated letter sign, 2 internally illuminated totem signs, 5 wall mounted panels, 11 post mounted panels and 7 vinyls

Application Number: 11/1231/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/10/2011
Location: Emmanuel School, 36 Blackboy Road, Exeter, EX4 6SZ
Proposal: Temporary portable cabin in playground

Application Number: 11/1501/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/17/2011
Location: 115 Sidwell Street, Exeter, EX4 6RY
Proposal: Change of use of ground floor retail premises to tattoo studio.

Application Number: 11/1236/03 **Working Party Date:** 9/14/2011 0
Decision Type Withdrawn by Applicant **Decision Date:** 9/26/2011
Location: 4 Spicer Road, Exeter, EX1 1SX
Proposal: Variation of condition 2 to approve amended drawings showing extended groundsman store to provide laundry room (Ref No. 10/1862/03 granted 14 February 2011)

PENNSYLVANIA

Application Number: 11/1308/03 **Working Party Date:** 9/12/2011 0
Decision Type Permitted **Decision Date:** 10/5/2011
Location: 8 Aldrin Road, Exeter, EX4 5DN
Proposal: Two storey extension including garage on south elevation and ground floor extension on east elevation

Application Number: 11/1149/01 **Working Party Date:** 9/12/2011 0
Decision Type Permitted **Decision Date:** 10/12/2011
Location: Land to east of 16, The Fairway, Exeter, EX4 5DW
Proposal: Development to provide three houses, parking and associated works including access and layout (all other matters reserved for future consideration)

Application Number: 11/1323/03 **Working Party Date:** 10/10/2011
Decision Type Permitted **Decision Date:** 10/14/2011
Location: 96 Rosebarn Lane, Exeter, EX4 5DU
Proposal: First floor extension above garage on north west elevation

Application Number: 11/1388/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/19/2011
Location: 101 Pennsylvania Road, Exeter, EX4 6DT
Proposal: Solar panels on south (11) and west (5) roof elevations

PINHOE

Application Number: 11/1682/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/18/2011
Location: 11 Summerway, Exeter, EX4 8DA
Proposal: Discharge of Condition 3 for Planning Permission Ref No. 10/1050/03 granted 10/09/2010

Application Number: 11/1390/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/19/2011
Location: 1 Rose Cottages, Causey Lane, Exeter, EX1 3SF
Proposal: Ground floor extension on south east elevation

Application Number: 11/1460/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 10/19/2011
Location: 55 Langaton Lane, Exeter, EX1 3SP
Proposal: First floor extension by alterations and raising of roof

Application Number: 11/1319/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/27/2011
Location: 2 Station Road, Pinhoe, Exeter, EX1 3SA
Proposal: Detached double garage to west of property

Application Number: 11/3116/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/27/2011
Location: 2 Bourn Rise, Exeter, EX4 8QD
Proposal: Tree no. Species Work
 T1 Oak Remove three lowest branches on the north side of the tree

POLSLOE

Application Number: 11/1413/03 **Working Party Date:** 9/14/2011 0
Decision Type Permitted **Decision Date:** 9/29/2011
Location: St Marks Church Hall, Pinhoe Road, Exeter, EX4 7HU
Proposal: Solar photovoltaic panels (18) to church hall roof on south elevation.

Application Number: 11/3132/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/6/2011
Location: 6 Mont Le Grand, Exeter, EX1 2PD
Proposal: Tree no. Species Work
 T1 Ash Lop the top half of the crown and trim the side branches by 50%

Application Number: 11/1365/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/7/2011
Location: 4 Pamela Road, Exeter, EX1 2UF
Proposal: Replacement outbuilding on west boundary

Application Number: 11/1137/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/12/2011
Location: Southlands, Fore Street, Heavitree, Exeter, EX1 2QQ
Proposal: Internal alterations to create ten residential flats

PRIORY

Application Number: 11/1233/03 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 10/11/2011
Location: 13 Exe Vale Road, Exeter, EX2 6LD
Proposal: Ground floor extension on south west elevation

Application Number: 11/1311/03 **Working Party Date:** 8/17/2011 0
Decision Type Permitted **Decision Date:** 10/12/2011
Location: Royal Devon & Exeter Hospital, Barrack Road, Exeter, EX2 5DN
Proposal: Demolition of existing Postgraduate centre building & redevelopment to provide a Research, Innovation, Learning & Development (RILD) centre over 4 storeys with associated landscaping and enclosed roof top plant

Application Number: 11/1098/03 **Working Party Date:** 10/12/2011
Decision Type Permitted **Decision Date:** 10/17/2011
Location: 3 The Barton, Mill Road, Exeter, EX2 6LJ
Proposal: Redevelopment to provide detached dwelling, parking and associated works

Application Number: 11/1394/03 **Working Party Date:** 10/12/2011
Decision Type Permitted **Decision Date:** 10/17/2011
Location: 3 Ruby Court, Wonford Street, Exeter, EX2 5DR
Proposal: Subdivision and alteration of previously approved flat (Ref. 07/2487/03) to create two flats.

Application Number: 11/1349/38 **Working Party Date:** 9/14/2011 0
Decision Type Permitted **Decision Date:** 9/28/2011
Location: 68 Bovemoors Lane, Exeter, EX2 5BP
Proposal: Redevelopment to provide 2 detached buildings each comprising 4 self-contained flats, parking, landscaping, access to highway and associated works (Extension of time for extant planning permission Ref number 08/2309/03 granted 25 02 2009)

ST DAVIDS

Application Number: 11/1065/03 **Working Party Date:** 8/16/2011 0
Decision Type Refuse Planning Permission **Decision Date:** 9/22/2011
Location: Thomas Moore, 102-104, Fore Street, Exeter, EX4 3JB
Proposal: Partial redevelopment to provide 13 self contained flats over four floors, reformed stock room and associated works (Amendment of 10/1687/03 granted 23 February 2011 to include an additional flat)

Application Number: 11/1367/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/30/2011
Location: Pandora, 4 Bedford Street, Exeter, EX1 1LT
Proposal: Replacement double doors on north elevation

Application Number: 11/3123/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/30/2011
Location: 38/39, Southernhay East, Exeter, EX1
Proposal: Tree no. Species Work
T1 Copper Beech Crown thin the over-extended limbs by 20-25%

Application Number: 11/1369/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/5/2011
Location: 19-20 Friernhay Street, Exeter, EX4 3AR
Proposal: Discharge of Condition 3 for Planning Permission Ref No. 08/1985/03 granted 19/01/2009

Application Number: 11/1399/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/6/2011
Location: Silversprings Hotel, 12 Richmond Road, Exeter, EX4
Proposal: Alterations to boiler house and parking including gates within dividing wall

Application Number: 11/1400/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/6/2011
Location: Silversprings Hotel, 12 Richmond Road, Exeter, EX4
Proposal: Railings on northwest boundary and alterations to provide lightwell

Application Number: 11/3134/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/7/2011
Location: The Old Deanery, The Cloisters, Cathedral Close, Exeter, EX1 1HS
Proposal: Tree no. Species Work
 T1 Lime Remove basal suckers, cut back brances overhanging
 antique shop wall and crown reduce by 25%
 G1 Cypress Reduce height by 3-3.6m

Application Number: 11/1359/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/10/2011
Location: 12-13, South Street, Exeter, EX1 1DZ
Proposal: Change of use from financial and professional services to beauty salon.

Application Number: 11/1398/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/10/2011
Location: Silversprings Hotel, 12 Richmond Road, Exeter, EX4
Proposal: Internal alterations to provide managed apartments and rooflights (4) on south east elevation

Application Number: 11/1360/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/12/2011
Location: 12-13, South Street, Exeter, EX1 1DZ
Proposal: Non-illuminated fascia sign and window vinyls (2) on west elevation.

Application Number: 11/1366/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/12/2011
Location: Pandora, 4 Bedford Street, Exeter, EX1 1LT
Proposal: Non illuminated projecting sign and illuminated logo sign on north elevation

Application Number: 11/1408/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/12/2011
Location: 115-116, Fore Street, Exeter, EX4 3JQ
Proposal: Installation of ATM on north west elevation

Application Number: 11/1411/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/12/2011
Location: 10 Richmond Road, Exeter, EX4 4JA
Proposal: Basement/three storey extension on south east elevation

Application Number: 11/0993/03 **Working Party Date:** 7/4/2011 00
Decision Type Permitted **Decision Date:** 10/14/2011
Location: 14 Exe Street, Exeter, EX4 3HA
Proposal: Four storey building to provide house in multiple occupation, pedestrian access to highway and associated works

Application Number: 11/1195/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/27/2011
Location: The Red House, St. Davids Hill, Exeter, EX4 4BS
Proposal: Discharge of Conditions 3, 4 and 5 for Planning Permission Ref No. 11/0637/03 granted 02/06/2011

Application Number: 11/1307/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/28/2011
Location: 32-33, Gandy Street, Exeter, EX4 3LT
Proposal: Non illuminated fascia sign on north elevation and non illuminated fascia sign
and projecting sign on west elevation

ST JAMES

Application Number: 11/1295/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/30/2011
Location: 12 Howell Road, Exeter, EX4 4LG
Proposal: Insulation and render at first and second floor on north elevation, double glazing
to existing windows and replacement window on east elevation

Application Number: 11/0549/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/5/2011
Location: Bishop Blackall Annexe, Pennsylvania Road, Exeter, EX4 6BP
Proposal: Discharge of condition 4 for Planning Permission Ref No. 10/0631/03 granted
26/07/2010

Application Number: 11/3131/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/6/2011
Location: 37 West Avenue, Exeter, EX4 4SD
Proposal: Tree no. Species Work
T1 Copper Beech Fell

Application Number: 11/3135/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/7/2011
Location: 8 West Avenue, Exeter, EX4 4SD
Proposal: Tree no. Species Work
T1 Cypress Fell

Application Number: 11/1419/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/12/2011
Location: St. Sidwells Centre, Sidwell Street, Exeter, EX4
Proposal: Installation of solar panels (18) on flat roof

Application Number: 11/3124/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/27/2011
Location: 7-9 Powderham Crescent, Exeter, EX4 6DA
Proposal: Tree no. Species Work
 T1 Magnolia Fell
 T2 Bay Fell

Application Number: 11/1372/03 **Working Party Date:** 9/12/2011 0
Decision Type Refuse Planning Permission **Decision Date:** 9/29/2011
Location: 11 Blackall Road, Exeter, EX4 4HD
Proposal: Replacement windows (2) on south elevation

ST LEONARDS

Application Number: 11/3130/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/30/2011
Location: 1a, St. Leonards Road, Exeter, EX2 4LA
Proposal: Tree no. Species Work
 T1 Holly Fell

Application Number: 11/1599/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/12/2011
Location: 20 Matford Avenue, Exeter, EX2 4PW
Proposal: Discharge of Condition 3 for Planning Permission Ref No. 11/0418/14 granted 13/05/2011

Application Number: 11/1385/03 **Working Party Date:** 10/11/2011
Decision Type Permitted **Decision Date:** 10/14/2011
Location: 5 The Lyndons, Lyndhurst Road, Exeter, EX2
Proposal: Ground floor extension to approved dwelling on plot 5 (amendment to 11/0878/03 granted 19 July 2011)

Application Number: 11/3141/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/14/2011
Location: 27 Matford Avenue, Exeter, EX2 4PL
Proposal: Tree no. Species Work
 T1 Cherry Reduce height by up to 1.8m and reshape lateral branches by up to 0.9m
 T2 Willow Reduce height by approx 30% and reshape lateral branches by approx 1.5m

Application Number: 11/3142/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/14/2011
Location: 17 Matford Avenue, Exeter, EX2 4PL
Proposal: Tree no. Species Work
 T1 Hornbeam Cut back from property to give 2m clearance, Crown
 raise by approx 2m
 T2 Copper Beech Crown raise by approx 2m
 T3 Fir Remove two branches interfering with Thuja

Application Number: 11/3145/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/14/2011
Location: Deepdene House, Deepdene Park, Exeter, EX2 4PH
Proposal: Tree no. Species Work
 T1 Conifer Fell

Application Number: 11/1321/32 **Working Party Date:**
Decision Type Split Decision **Decision Date:** 10/19/2011
Location: 1 Victoria Park Road, Exeter, EX2 4NT
Proposal: Discharge of Conditions 1, 2, 3 & 4 for Planning Permission Ref No. 10/1618/03
 granted 17/11/2010

Application Number: 11/1343/32 **Working Party Date:**
Decision Type Split Decision **Decision Date:** 10/19/2011
Location: 1 Victoria Park Road, Exeter, EX2 4NT
Proposal: Discharge of Conditions 1, 2, 3 and 4 for Planning Permission Ref No.
 10/1619/07 granted 17/11/2010

Application Number: 11/1600/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/19/2011
Location: 20 Matford Avenue, Exeter, EX2 4PW
Proposal: Omission of Regit glazing replaced with frosted film coated fixed window
 casement, additional mullion on large window on north east elevation and on
 large windows on south west elevation. Replacement pre-patternated copper to
 zinc. (Non-material minor amendment to Planning Permission 11/0328/03
 granted 16 05 2011)

Application Number: 11/3067/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/27/2011
Location: Ernsborough Court, Fairpark Road, Exeter, EX2
Proposal: Tree No. Species Work
 T1 Copper Beech Crown raise by 5m over road and by 3m over path
 near building; prune back from building by 1.5m

Application Number: 11/1459/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/19/2011
Location: Units 13-15 Kestrel Business Park, Kestrel Way, Sowton Industrial Estate,
Exeter, EX2 7JS
Proposal: Change of use to provide an operational base and ambulance station, internal
alterations and external works.

Application Number: 11/1270/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/22/2011
Location: Unit 1, former MFI, Avocet Road, Sowton Industrial Estate, Exeter, EX2
Proposal: Internally illuminated fascia signs on north (3), west (1) and south (1) elevations
and poster cases (8) on north elevation

ST THOMAS

Application Number: 11/1258/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/22/2011
Location: 21 Sanford Place, Exeter, EX2 9FD
Proposal: Ground floor extension on west elevation

Application Number: 11/0493/03 **Working Party Date:** 6/7/2011 00
Decision Type Permitted **Decision Date:** 10/5/2011
Location: 36 Alphington Road, Exeter, EX2 8HN
Proposal: Change of use of first and second floors from residential to day nursery and
offices respectively, new ground floor fire escape door on west elevation and
double doors on east elevation.

Application Number: 11/1476/03 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 10/5/2011
Location: 67 & 67a, Cowick Street, Exeter, EX4
Proposal: New roof to decked area.

Application Number: 11/1401/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/7/2011
Location: 70 Cowick Street, Exeter, EX4 1HW
Proposal: Installation of new internal air conditioning unit with externally mounted
condensing unit on east elevation.

Application Number: 11/1302/03 **Working Party Date:** 9/13/2011 0
Decision Type Withdrawn by Applicant **Decision Date:** 10/12/2011
Location: 105 Okehampton Road, Exeter, EX4 1EP
Proposal: Change of use from dwelling to two dwellings

TOPSHAM

Application Number: 11/1404/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 9/29/2011
Location: 24 Pound Lane, Topsham, Exeter, EX3 0NA
Proposal: Ground floor extension on south east elevation

Application Number: 11/1493/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/29/2011
Location: 10 Towerfield, Clyst Road, Topsham, Exeter, EX3 0BZ
Proposal: Removal of chimney stack on north elevation and replaced with flue and alteration to door on west elevation of extension from single to double glazed doors. (Non-Material Minor Amendment Ref No. 11/0673/03 granted 13/06/2011)

Application Number: 11/1540/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/7/2011
Location: 4 Rydon Lane, Exeter, EX2 7AW
Proposal: Additional lantern window on ground floor extension on south east elevation (Non Material Minor Amendment Ref No. 11/0607/03 granted 22 06 2011)

Application Number: 11/1354/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 10/10/2011
Location: 23 Wessex Close, Topsham, Exeter, EX3 0LU
Proposal: Ground floor extension on south west elevation (Certificate of lawfulness for proposed development)

Application Number: 11/1445/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 10/12/2011
Location: 8 Hamilton Road, Topsham, Exeter, EX3 0LH
Proposal: Loft conversion with velux windows (2) on south east elevation and dormer window on north west elevation. (Certificate of lawfulness for proposed development)

Application Number: 11/1491/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 10/12/2011
Location: 31b, White Street, Topsham, Exeter, EX3 0AA
Proposal: Glass canopy over patio on south west elevation (Certificate of lawfulness for proposed development)

Application Number: 11/1315/03 **Working Party Date:** 10/12/2011
Decision Type Permitted **Decision Date:** 10/14/2011
Location: The Lighter Inn, Fore Street, Topsham, Exeter, EX3 0HZ
Proposal: Alterations to kitchen extract ductwork to increase height

Application Number: 11/1316/07 **Working Party Date:** 10/12/2011
Decision Type Permitted **Decision Date:** 10/14/2011
Location: The Lighter Inn, Fore Street, Topsham, Exeter, EX3 0HZ
Proposal: Alterations to kitchen extract ductwork to increase height

Application Number: 11/1483/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/17/2011
Location: Route 2 Topsham, 1-2, Monmouth Hill, Topsham, Exeter, EX3 0JQ
Proposal: Internal alterations to toilet block

Application Number: 11/1415/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/19/2011
Location: 16a, Monmouth Street, Topsham, Exeter, EX3 0AJ
Proposal: Replacement ground floor extensions on north east, north west and south west elevations and glazed porch on south east elevation.

Application Number: 11/3121/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/26/2011
Location: 3 Tresillian Gardens, Topsham, Exeter, EX3 0BA
Proposal: Tree no. Species Works
T1 Beech Remove a branch overhanging neighbouring property

Application Number: 11/3122/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/26/2011
Location: 3 Tresillian Gardens, Topsham, Exeter, EX3 0BA
Proposal: Tree no. Species Work
 T2 Beech Fell

Application Number: 11/3126/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/27/2011
Location: 8 Monmouth Avenue, Topsham, Exeter, EX3 0AF
Proposal: Tree no. Species Work
 T1 Oak Crown thin by 20%

Application Number: 11/3127/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/27/2011
Location: 12 Monmouth Street, Topsham, Exeter, EX3 0AJ
Proposal: Tree no. Species Work
 T1 Poplar Fell
 T2 Birch Prune branches sufficient to clear solar panel

WHIPTON BARTON

Application Number: 11/1049/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 10/5/2011
Location: Land between Pinn Lane & Junction 29 (M5) North of, Honiton Road, Exeter, EX1
Proposal: Discharge of Condition 6 relating to on-site parking facilities for Planning Permission Ref No. 09/1466/02 granted 24/12/2009

Application Number: 10/1840/01 **Working Party Date:** 12/13/2010
Decision Type Permitted **Decision Date:** 10/7/2011
Location: Land off, Hill Barton Road, Exeter, EX1
Proposal: Residential Development with associated public open space, amenity space, infrastructure and landscaping with access from Hill Barton Road and pedestrian/cycle/emergency access only onto Green Park Avenue (all other matters reserved for future consideration)

Application Number: 11/1339/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 9/28/2011
Location: 9 Woodland Road, Exeter, EX1 3PL
Proposal: Alterations to roof including raising of ridge level, gables, rooflights, juliet balcony and dormer window, and porch on north elevation

Total Number of Delegated Decisions Made:

124

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 31 OCTOBER 2011

ENFORCEMENT PROGRESS REPORT

1.0 PURPOSE OF REPORT

- 1.1 To update Members on enforcement matters.

2.0 CASES OPENED AND CLOSED BETWEEN 12 SEPTEMBER 2011 AND 10 OCTOBER 2011

Cases opened: 9
Cases closed: 8
Outstanding number of cases: 109

3.0 NOTICES ISSUED

- 3.1 None

4.0 NOTICES COMPLIED WITH

- 4.1 ENF/09/87 – Ganges, 156 Fore Street, Exeter – Enforcement Notice issued on 16 November 2009 for installation of an extraction unit at the rear of the premises. The Notice came into effect on 28 December 2009 and gave a period of 3 months for compliance.
- 4.2 An appeal against the Enforcement Notice was dismissed on 1 April 2010, however, the Council subsequently entered into discussions with the operators of the business regarding the possibility of retaining the extraction unit on the proviso that a suitable form of screening be approved.
- 4.3 Planning permission was granted on 10 May 2011 for a screen to be erected around the extraction unit. A site visit on 14 September 2011 established that the screen had been erected in accordance with the approved plans, therefore, the Enforcement Notice is now irrelevant.
- 4.4 ENF/06/39 – 2 Elm Grove Road, Exeter – Listed Building Enforcement Notice issued on 15 June 2009 for various unauthorised works to a listed building. The Notice came into effect on 23 July 2009 and gave a period of 6 months for compliance.
- 4.5 An appeal against the Listed Building Enforcement Notice was dismissed on 5 November 2009, subject to Inspector's decision to allow a period of 12 months for compliance with the terms of the Notice. The Council has been monitoring the works over the last 18 months, and a site visit on 4 October 2011 established that the Listed Building Enforcement Notice has been complied with.
- 4.6 ENF/10/68 – 4 Old Park Road, Exeter – Enforcement Notice issued on 6 April 2011 for the installation of uPVC windows at ground and first floor level. The Notice took effect on 9 May 2011 and gave a period of 3 months for

compliance. A site visit on 6 October 2011 established that the Enforcement Notice has been complied with.

5.0 CURRENT APPEALS

- 5.1 ENF/10/23 - 6 Florida Drive, Exeter – Enforcement Notice issued on 6 June 2011 for a change of use of land providing a visual amenity for the public benefit, to land forming part of the private garden of the dwelling. An appeal was submitted on 26 July 2011 and is being dealt with by written representations. The Council's statement was submitted on 11 August 2011. The Inspector's decision is now awaited.

6.0 ENFORCEMENT APPEAL DECISIONS

- 6.1 None

7.0 OTHER ISSUES

- 7.1 ENF/11/58 – 19 New North Road, Exeter – Unauthorised works to two copper beech trees within a Conservation Area. Following further correspondence from the owner of the property, Legal Services are considering whether to pursue prosecution proceedings. Members will be updated in due course.

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.

EXETER CITY COUNCIL

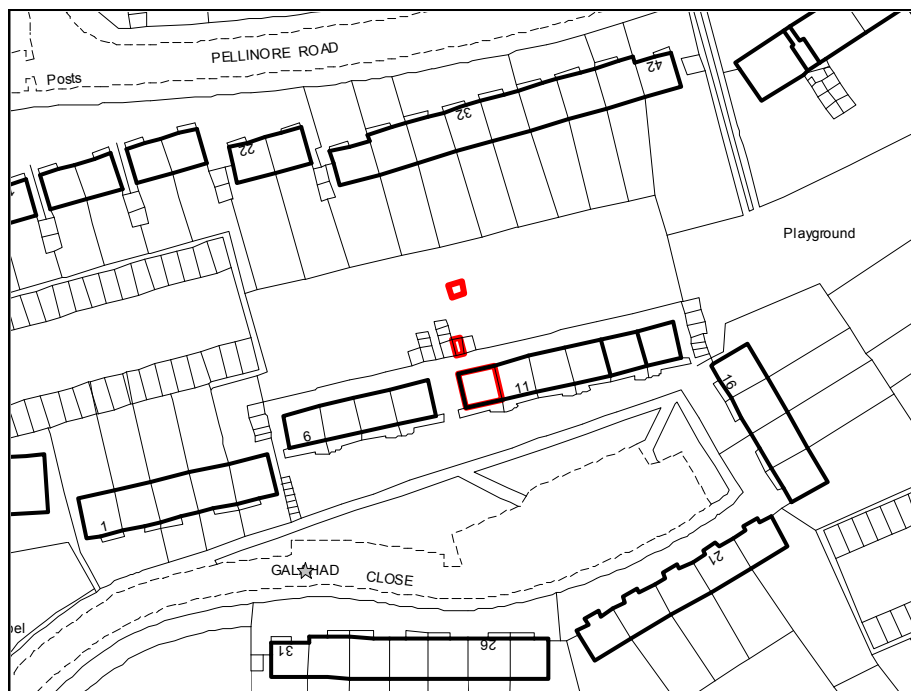
PLANNING COMMITTEE
31 OCTOBER 2011

APPEALS

DECISIONS RECEIVED

SUMMARY: 5 appeal decisions have been received since the last report: 3 were dismissed, 1 allowed subject to conditions and one allowed with no conditions.

10A Galahad Close, Beacon Heath, Exeter, Devon EX4 9BD



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Reference No: 11/0189/03

Proposal: Retention of raised decking in garden to north of property.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: ALLOWED

Grounds:

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

The appeal site forms part of an area of enclosed land to the rear of a residential block at 10-15 Galahad Close. The land to the rear of the block was originally provided as communal open space for the properties. However, the eastern part of this land, to the rear of Nos 13-15, has been enclosed by timber fencing to form individual garden plots for those properties. The Inspector considered that these arrangements reflected the more traditional garden enclosures to the surrounding dwellings, and they appeared neither incongruous nor intrusive in their settings. In contrast, the land to the western end, behind Nos 6-9 remained open and appeared relatively unmanaged in comparison to the remainder of the space. Despite maintaining its original form, he considered there was little merit to the contribution this area made to the wider residential character of the area.

The decking had been erected centrally upon land immediately behind Nos 10 and 10A. The Inspector considered that, despite being clearly visible from many surrounding properties, the decking appeared as a typical, timber garden structure that did little to detract from the limited value attributed to the openness of the space it occupied. The 1.5m high balustrade around the decking was not excessive in his opinion being lower than most other nearby enclosures. Overall, he found the structure to be appropriately residential in scale, appearing neither overly dominant nor intrusive within the context of its immediate setting.

The Inspector concluded that the decking did not appear harmful to the character or appearance of the area and that there would therefore be no conflict with development plan policies.

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7 Hoopern Avenue, Exeter EX4 6DN



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Reference No: 11/0277/03

Proposal: Demolition of existing dwelling and erection of one two-storey and one single-storey dwelling.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: DISMISSED

Grounds:

The main issues were the effect of the proposal on the character and appearance of the area, and the living conditions of adjoining occupiers.

Hoopern Avenue is a short cul-de-sac of 1930's dwellings in a well-integrated group. The Inspector considered that the existing dwelling has a visual presence that is consistent with the rhythm and character of the street scene.

The proposed dwellings would be arranged in a tandem formation. Plot 1 would sit towards the front of the site in a position similar to the dwelling it would replace. The Inspector considered that it would have a more conspicuous presence within the street scene when compared with the existing dwelling. In addition, rather than facing Hoopern Avenue, it would face directly towards the flank elevation of 8 Hoopern Avenue. Taken together, he found that these factors would result in a dwelling that would clearly stand out as an incongruous addition to the more traditional townscape within the cul-de-sac.

The gardens of properties on the north side of Hoopern Avenue give an overall impression of spaciousness to the locality. This is further enhanced by views into open land to the west of the appeal site which has a distinctly rural character. The Inspector agreed with the Council that the siting of the dwelling on Plot 2 would seriously erode the spacious quality of the site, as well as the important contribution it makes to the wider character of the area. Moreover, its backland nature would be entirely at odds with the established pattern and grain of development within the area. Plot 2 would also appear harmful to the outlook from No 8.

The Inspector considered that the dwelling proposed on Plot 1 would create an unacceptable level of overlooking that would result in a significant loss of privacy to the neighbouring occupiers.

The appellant had argued that the proposal would maximise the use of previously developed land on an infill corner plot, in line with ELP Policies H1 and H2. The Inspector was mindful that revised Planning Policy Statement 3: *Housing* specifically excludes gardens from the definition of previously developed land. Furthermore, Policy H2 is clear that any attempt to maximise development potential should not be at the expense of local amenity or the character and quality of the local environment.

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Wembury, New North Road, Exeter, Devon, EX4 4AG.



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Reference Nos: 11/0293/14 (Application for Conservation Area Consent) (Appeal A)
11/0176/03 (Application for Planning Permission)(Appeal B)

Proposals:

(Appeal A) Demolition of a single storey extension
(Appeal B) Demolition of a single storey extension, conversion of existing dwelling to form 2 apartments, development of 6 new apartments, alterations to an existing vehicular highway access, the closure of an existing highway access and the provision of cycle storage.

Application Decisions: Delegated Refusals

Type of Appeals: Written Representations

Appeal Decisions: Appeal A: **ALLOWED** subject to conditions.
Appeal B: **DISMISSED**

Grounds:

The main issues were: whether the proposal would preserve or enhance the character or appearance of the Taddyforde Conservation Area (Appeals A and B) ; the effect upon the living conditions of neighbouring residents, having particular regard to any noise disturbance that may be experienced by the occupiers of 1 Thomas Lane (Appeal B only) and; whether the proposal would provide adequate living conditions for occupiers of the new units (Appeal B only).

Conservation Area (Appeals A and B)

The Council's Conservation Area Appraisal, describes Wembury as a building that makes a positive contribution to the character of the area and identifies the roadside planting as an area of important trees. The Inspector concurred with the Inspector dealing with a 2007 appeal at the site that Wembury is an attractive house and that its generous-sized garden is important in maintaining the low density character and attractive spacious setting to the early 20th century houses that lie on the western side of this part of the road. The roadside hedgebank also assists in creating a strong sense of enclosure along this section of New North Road and is an important feature of the street scene.

The existing single storey extension is a later addition to Wembury. Its long, low profile has little in common with the form and dignified appearance of the main house. The Inspector concluded that the removal of this extension would not harm the contribution that Wembury makes to the character or appearance of the Conservation Area and he therefore allowed Appeal A.

Proposed Unit A would replace the above extension. Whilst it would be lower than Wembury its height and mass would be very much greater than the existing extension. Its design and appearance would also be very different to the existing house. It would fragment the plot and diminish the sense of spaciousness in this section of the street. Unit B would occupy a sizeable part of the existing garden and, along with the construction of some parking spaces within the front lawn, would seriously detract from the attractive garden setting to the existing house. The Inspector considered that Units A and B would erode the low density character of the Conservation Area.

The Inspector agreed with the Council that some of the above parking spaces could harm a Sycamore tree growing within the roadside bank. In addition, the proposed footway across the site frontage would involve removing some of the existing roadside hedgebank. This would be likely to weaken the sense of enclosure along this section of the street detracting from the street scene and the character and appearance of the Conservation Area.

Living Conditions – Neighbouring Residents (Appeal B only)

Whilst the scheme would result in an increase in activity in and around the site, car parking/turning would be restricted to the front of the site and adjacent to the busy New North Road. The Inspector did not consider the development would result in harmful noise disturbance for the occupiers of the neighbouring dwelling at 1 Thomas Lane.

Living Conditions – Incoming Residents (Appeal B only)

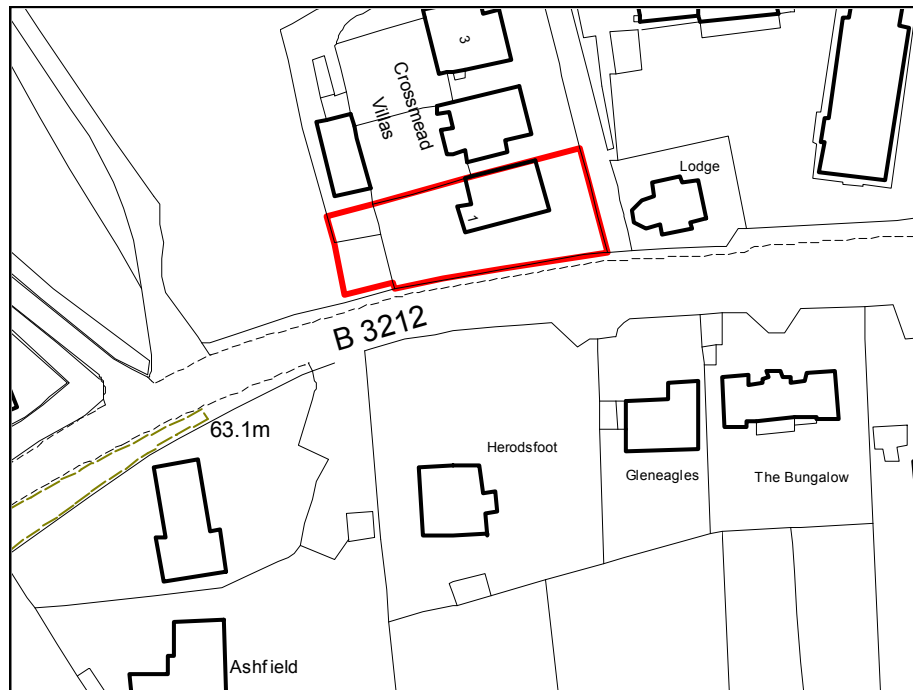
Some of the proposed rooms would be of a limited size and would not meet the standards specified within the Council's 'Residential Design' SPD. Some external areas of communal amenity space would also be very close to some of the windows in the new flats. The Inspector noted that the SPD was not intended to be rigidly applied and considered these matters would be apparent to prospective tenants before they occupied the units. In his opinion adequate internal and external amenity space would be provided and these limitations of the scheme were not so serious as to justify withholding permission.

Appeal A was allowed and conservation area consent granted for the demolition of the single storey extension at Wembury subject to conditions requiring commencement

within 3 years and the submission and approval of details of the external appearance/finish of the south facing elevation of the remainder of the dwelling.

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1 Crossmead Villas, Dunsford Road, Exeter EX2 9PU



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Reference No: 11/0330/03

Proposal: Detached garage to west of property and re-building of garden wall.

Application Decision: Delegated Refusal

Type of Appeals: Householder

Appeal Decision: DISMISSED

Grounds:

The main issues were the effect upon the character and appearance of the area and the setting of 1 Crossmead Villas, a listed building.

The proposed garage was proposed on land presently occupied by 2 Irish Yew trees and 2 Western Red Cedar trees. These trees all form part of a Woodlands TPO, which covers a larger area extending away from the site.

The Inspector noted that although the trees on the appeal site were not indigenous woodland species, they occupied a prominent location on the fringe of the group. He considered that, together with their high visibility within the street scene they made a

valuable and important contribution to the woodland unit as a whole. He considered that the proposed garage building would significantly alter the collective appearance of the woodland in a manner that would damage its sylvan character and enjoyment when seen from the public realm. There was no substantive evidence to suggest that the existing trees were of significant ill health or that they provide any potential danger to highway or pedestrian safety along Dunsford Road. Given their overall contribution to the character of the area, he found no justification for the premature felling of these mature trees.

The Inspector also considered that the proposal would be unlikely to endanger the health or vitality of a Beech tree on adjoining land and considered that the proposal would adequately preserve the setting of the listed building.

Notwithstanding his findings in relation to the setting of the listed building, he concluded that the loss of the TPO trees and the visual impact of the garage would be harmful to the character and appearance of the area contrary to development plan policies.

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APPEALS LODGED

Application	Proposal	Start Date	Received Date
3a Parkhouse Road, Exeter, EX2 9DB	Redevelopment to provide attached dwelling	20/09/2011	20/09/2011
3 St Leonards Road, Exeter, EX2 4LA	Hardstanding to west of property, access to highway & rebuilding of wall on west boundary.	13/10/2011	13/10/2011

**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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