



Exeter City Council

To the Chair and Members
of the Planning Committee

Please ask for: Sarah Selway

Direct Dial: 01392 265275

Email: sarah.selway@exeter.gov.uk

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 21ST MAY 2012** 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 **APOLOGIES**

To receive apologies for absence from Committee members.

2 **MINUTES**

To sign the minutes of the meetings held on 20 February 2012 and 19 March 2012.

3 **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.

4 **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.

Office of Corporate Manager Democratic & Civic Support

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11 **PLANNING MEMBER WORKING GROUP - SCHEDULE OF DATES**

To consider the report of the Corporate Manager Democratic and Civic Support. 51 - 52
(Report circulated)

12 **AREA WORKING PARTY - COMPOSITION AND SCHEDULE OF DATES**

To consider the report of the Corporate Manager Democratic and Civic Support. 53 - 54
(Report circulated)

13 **SITE INSPECTIONS - ROTA FOR VISITS**

To consider the report of the Corporate Manager Democratic and Civic Support. 55 - 56
(Report circulated)

14 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 12 June 2012 at 9.30 a.m. The Councillors attending to be agreed.

DATE OF NEXT MEETING

The next scheduled meeting of the Planning Committee will be held on **Monday 25 June 2012** 5.30 pm. in the Civic Centre.

Membership – to be agreed at Annual Council.

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ITEM NO. 5

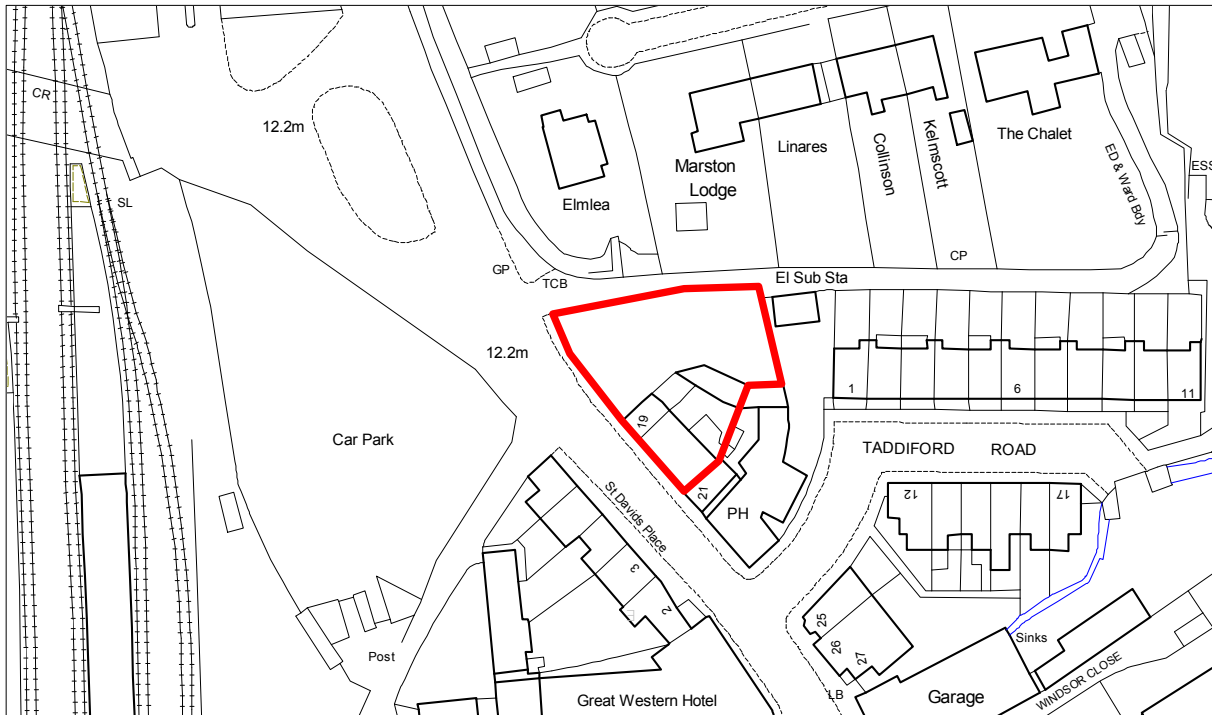
COMMITTEE DATE: 21/05/2012

APPLICATION NO: 12/0354/03 **FULL PLANNING PERMISSION**
APPLICANT: Mr S Hare
 Colourcolt Student Living Ltd
PROPOSAL: Two storey and two and a half storey blocks to provide 10 student flats, cycle and bin stores and associated works
LOCATION: Former Red Cow Inn & 19-20, Red Cow Village, Exeter, EX4
REGISTRATION DATE: 12/03/2012
EXPIRY DATE: 11/06/2012

ITEM NO. 5

COMMITTEE DATE: 21/05/2012

APPLICATION NO: 12/0355/14 **CONSERVATION AREA CONSENT**
APPLICANT: Mr S Hare
 Colourcolt Student Living Ltd
PROPOSAL: Demolition of cottages
LOCATION: 19-20 Red Cow Village, Exeter, EX4
REGISTRATION DATE: 12/03/2012
EXPIRY DATE: 07/05/2012
HISTORY OF SITE



Scale 1:1250

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03/1758/03 -	Redevelopment to provide one attached dwelling and nine self-contained flats on 2/3 floors and associated works	REF	21/01/2004
03/1849/14 -	Demolition of buildings	REF	21/01/2004
04/1720/14 -	Demolition of buildings	REF	23/12/2004
04/1721/03 -	Redevelopment to provide 2/3 storey building comprising 4 terraced dwellings and 6 self-contained flats and associated works	REF	23/12/2004
10/0380/03 -	Development to provide three and four storey	REF	05/05/2010

building comprising 7 self contained flats for use as dwelling houses (Class C3) or Houses in Multiple Occupation (Class C4) and associated works

10/1392/03 - Development to construct six flats in a three storey REF 05/11/2010
development for use as houses in multiple occupancy (C4) or residential dwellings (C3)

DESCRIPTION OF SITE/PROPOSAL

The site is, in part, land formerly occupied by the Red Cow Inn, which was demolished in 2006, and in part occupied by two storey cottages at 19 & 20 Red Cow Village. It is within the St David's Conservation Area and occupies a prominent plot adjacent to one of the main thoroughfares in and out of the city. There is an unmade lane/footpath leading up to the Taddiford estate along the northern boundary. The land rises to the rear of the site.

Conservation Area Consent is sought for the demolition of the two cottages. Planning permission is sought for redevelopment to provide a three and two storey building comprising eight self-contained flats for use as student accommodation (34 bedrooms), and associated works. The development also comprises a bin store, bike store and external amenity space to the rear.

The proposed building has a similar footprint to the old Red Cow building. The height of the building is less than the maximum height of the Red Cow. There is an entrance to the building from Cowley Bridge Road. The part of the front elevation on the former Red Cow site is formal in style, with a rendered facade, slate roof and dormers. The part on the site of the cottages mimics the scale, massing and materials of the cottages.

No parking is proposed for the development.

The proposed development adjoins the site of the former Artful Dodger public house, which is currently being redeveloped as student accommodation.

There have been a number of previous applications, all refused, for redevelopment of the Red Cow site, but this is the first one to include the adjacent cottages. The last refusal was on the grounds of unsympathetic development in the conservation area, and impact on the amenity of neighbours and future occupants.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Design and Access statement
- Contamination report
- Archaeology report
- Noise report
- Flood risk assessment
- Report on air pollution
- Heritage statement

In addition to the above, the applicant's agent has made the following observations:

- The difference in height between the roof of the proposed building on the Red Cow site and the ridge line of the existing two cottages which are replicated on the proposed development is less than one metre.
- The elevation details were agreed during discussions with the Council's Planning and Conservation Officers prior to submission of the application.
- The lane alongside the site has no legal title. The applicant would be prepared to resurface the part of the lane adjoining the site and to provide bollards, subject to there being no legal complications.

- The part of the scheme that directly overlooks the dwellings opposite is the replacement of the two cottages. There is no increase in overlooking. The situation is no worse than when the Red Cow was operating.
- It is accepted that the proposed development will affect the development on the Artful Dodger site. However, the degree of daylight received by all the windows above the ground floor meets with good practice in relation to daylight. The only rooms where there will be any effect will be two bedrooms on the ground floor, and even there the degree of day lighting will be better than some other rooms within the Artful Dodger site, which are affected by other parts of the same development. Furthermore, it should be emphasised that these two bedrooms would in any case be affected by the existing boundary wall even if the proposed development does not take place.
- The site may not be the most appropriate for encouraging swifts given the busy traffic and general environment.

REPRESENTATIONS

Objections and comments: 6. Principal planning issues raised:

- The proposed development is for yet more student accommodation. There is no need for this.
- Increased overlooking of the houses opposite.
- The proposal is an overdevelopment of the site which is too large for Red Cow Village.
- The demolition of the cottages will result in the loss of the last old buildings in this part of the conservation area.
- The demolition of the cottages is unnecessary.
- The design fails to reflect the character of the former Red Cow building, but this could be achieved with amendments.
- The lane which runs up beside the site is in poor condition and there is a problem with drainage. The development provides an opportunity to resurface this section and manage the flow of water more effectively. There should also be bollards to allow pedestrian and cycle access but prevent vehicles from parking in the lane.
- The height of the new building on the Red Cow site should be no more than one metre above the height of the existing two cottages at 19 & 20 Red Cow Village. If the building is any higher than this it would adversely affect the amenity of the nearest dwelling in Taddyforde.
- The proposal will have an adverse impact on the amenity of 9 study bedrooms and 6 lounge/kitchens within the building currently being built on the adjoining site of the former Artful Dodger public house. This is because there will be a 3 storey high building within 5m of the adjacent development, causing overbearing and loss of light.

CONSULTATIONS

Environment Agency - providing development proceeds in accordance with the submitted flood risk assessment there are no objections to the proposal from the flood risk aspect.

County Director of Environment, Economy & Culture - no objection subject to conditions requiring a sustainable travel pack to be issued to residents, and provision of secure cycle parking facilities.

RSPB - no objection subject to provision of swift boxes or similar.

Assistant Director Environment - Subject to satisfactory revisions to address minor contamination concerns, no objections subject to conditions relating to contamination, construction hours, ventilation and noise.

PLANNING POLICIES/POLICY GUIDANCE

National Planning Policy Framework

Exeter Local Development Framework Core Strategy

CP12 - Flood Risk

CP17 - Design and Local Distinctiveness

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

H1 - Search Sequence

H2 - Location Priorities

H5 - Diversity of Housing

C5 - Archaeology

Exeter City Council Supplementary Planning Documents

University of Exeter Supplementary Planning Guidance (2007)

St David's Conservation Area Appraisal and Management Plan (November 2005)

University of Exeter Nine Principles

Houses in Multiple Occupation SPD (2011)

OBSERVATIONS

The former Red Cow Inn was demolished in May 2006 due to the building becoming too unsafe as a result of neglect. However, the character and appearance of the previously existing building are relevant and should be taken into account when considering redevelopment proposals. The buildings were placed at back of pavement and wrapped around the corner, offering no views into the centre of the site until one was inside the rear courtyard. The scale was very much in keeping with the domestic properties opposite and adjacent and served as the starting point for development that got taller and more prominent towards the station. The high bank to the north marks the boundary to the historic Taddyforde Estate, now a conservation area itself, and the scale of the previous buildings deferred to this natural boundary. The buildings were roughcast rendered with traditional timber windows and doors.

Whilst the buildings were derelict, they nevertheless offered a positive contribution to the St David's conservation area in terms of their scale, massing, design and materials as well as their historical significance to the growth of the area. The site as existing is unattractive and in need of redevelopment. It forms a hole within the conservation area and an eyesore on a major route into the City.

The existing cottages make a positive contribution to the conservation area. However, they have been heavily altered and their contribution comes from the scale and massing and appearance in the street scene rather than from any intrinsic architectural or historic merit. Whilst it is generally unacceptable in conservation terms to demolish positive buildings and replace with replica designs, the character of these cottages has been compromised to such an extent with the insertion of a relatively modern shopfront, and alterations to the windows and doors, that the main character left is the scale and massing and these can be more easily copied to a suitable standard. In terms of the new buildings, there are some minor alterations to the detail that would make a big difference in their contribution to the conservations area: the windows should be 6 over 6 multi-paned sliding sash and the eaves

height should be raised by 300mm to create a better gap between the heads of the windows and the eaves. This has been suggested to the applicant and a response is awaited.

The proposed design of the building on the Red Cow site is simple in its form and picks up on elements of the previous building without slavishly copying it. The scale and the materials are appropriate to the location. There are minor alterations to the design that would improve the overall appearance: an additional downpipe inserted to the left of the main door would break up the elevation and create some verticality. The parapet should return on the south side for approx 1.5m so that views from the south of the roof and the new roof junction are improved. These changes have been suggested to the applicant and he has confirmed that he will issue revised drawings.

The previous design included a tower, which did not sit comfortably in this setting, and lacked elevational details which would contribute positively to the conservation area's character. Elements of the roof design were incongruous. It is considered that the simplified design and proportions now proposed make a much more attractive contribution to the street scene.

Policy H5(a) of Exeter Local Plan states that student housing will be permitted provided that the scale and intensity of the use will not harm the character of the building and locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on-street parking problems. It is considered that the proposed C4 use is appropriate in this location. The University of Exeter Supplementary Planning Guidance adopted by Members in 2007 favours provision of further student accommodation in the St David's Station/Cowley Bridge Road area.

Notwithstanding the concerns raised by neighbours, including the developers of the former Artful Dodger site, it is not considered that the proposal would give rise to unacceptable overlooking. However, there are some outstanding issues surrounding overbearing and loss of daylight, and these are being investigated. It may be necessary to require revised drawings, and Members will be updated before the meeting.

It is considered that the resurfacing of the adjacent part of the lane running alongside the site, and the provision of bollards, is necessary in connection with this development and therefore should be required by a condition.

A legal agreement will be necessary to restrict occupation to students, and to ensure that the development is properly managed, in line with other recently approved student accommodation. This will also cover a Natura 2000 contribution of £350 per flat.

NORTHERN AREA WORKING PARTY

Members noted the details of the application and that it would be considered by the Planning Committee in due course.

SUSTAINABILITY

The applicant has advised as follows;

"The proposed flats will be designed to meet Code 3 standards. This requires an energy consumption of 15% below current building regulation standards and requires that materials are sourced from sustainable sources wherever possible. Energy saving technologies will include mechanical ventilation to all the flats with heat recovery. Mechanical ventilation is also required to avoid problems with the air quality in Cowley Bridge Road. All light fittings will be low energy and those in communal areas will be activated by movement sensors. The external render will be lime-based through-colour render. This will not need to be painted and the use of lime is more sustainable than cement. All windows are to be timber which will be sourced from sustainable forests."

RECOMMENDATION

Subject to the completion of a section 106 agreement legal agreement to restrict occupation to students, to secure the appropriate management of the accommodation, and to secure a Natura 2000 contribution, APPROVE 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) 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.
- 5) C37 - Replacement Planting
- 6) Unless otherwise agreed in writing by the Local Planning Authority all new and replacement rainwater goods shall be in painted metal and of an ogee profile.
Reason: To protect and preserve the character of St David's Conservation Area.
- 7) The roof hereby approved shall be clad in natural slates, fixed with nails not slate hooks, the size and type of which have been agreed by the Local Planning Authority prior to starting on site.
Reason: To protect and preserve the character of the St David's Conservation Area.
- 8) Details of the proposed render type and colour(s) shall be agreed in writing with Local Planning Authority and shall be applied without the use of metal beads or stops. Movement joints, where required, shall be positioned at changes of direction or directly behind rainwater downpipes.
Reason: To protect and preserve the character of the St David's Conservation Area.
- 9) All new windows and doors shall be first constructed and subsequently maintained in timber with a painted or stained finish. Details of the construction including glazing, opening method and finish shall previously have been submitted to and approved in writing by the Local Planning Authority prior to fixing.
Reason: To protect and preserve the character of the St David's Conservation Area.
- 10) No part of the development hereby approved shall be occupied until a Basic Sustainable Travel Pack shall have been issued to all residents in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and updated at regular intervals.

Reason: To ensure that all residents are aware of the 'car free' status of this development.

- 11) C57 - Archaeological Recording
- 12) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in the location shown on drawing 940/20, in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall be maintained thereafter.
Reason: To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- 13) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.
Reason: In the interests of environmental health.
- 14) 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.
Reason: In the interests of local amenity.
- 15) Full details of the mechanical ventilation system shall be submitted and approved in writing prior to commencement of the development. The approved scheme shall be implemented in full and maintained as agreed thereafter.
Reason: In the interests of local amenity.
- 16) Prior to occupation, details shall be submitted and approved by the LPA in writing, to demonstrate that the building envelope has been constructed so as to provide sound attenuation against external noise, not less than 30dB(A), with windows shut and other means of ventilation provided that draws air from the rear facade.
Reason: In the interests of local amenity.
- 17) No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of local amenity.
- 18) Notwithstanding Condition 2, no work shall commence on site under this permission until details of the following have been submitted to and approved in writing by the Local Planning Authority:-
 - a) full elevational and sectional details of the development to a scale of 1:20 and 1:5 to include details of:-
 - i) windows, including colour, materials, cills, headers and reveals;
 - ii) the roof ridge, hip detailing, eaves, verges, rainwater goods, canopies and external doors;
Reason: To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development within the St David's Conservation Area and in relation to adjoining buildings.

- 19) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB.
Reason: In the interests of the preservation and enhancement of biodiversity in the locality.

In the event that the section 106 agreement is not completed within 3 months of the date of this Committee meeting, authority be delegated to the Assistant Director City Development permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the section 106 agreement.

and **APPROVE** application 12/0355/14 subject to the following conditions:

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) The demolition hereby approved shall not be carried out until a building contract has been entered into for the erection of the replacement building permitted by planning permission no. 12/0354/03 and satisfactory evidence to that effect has been produced to the Local Planning Authority.
Reason: In the interests of the appearance of the Conservation Area.
- 3) 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.
Reason: In the interests of local residential amenity.

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

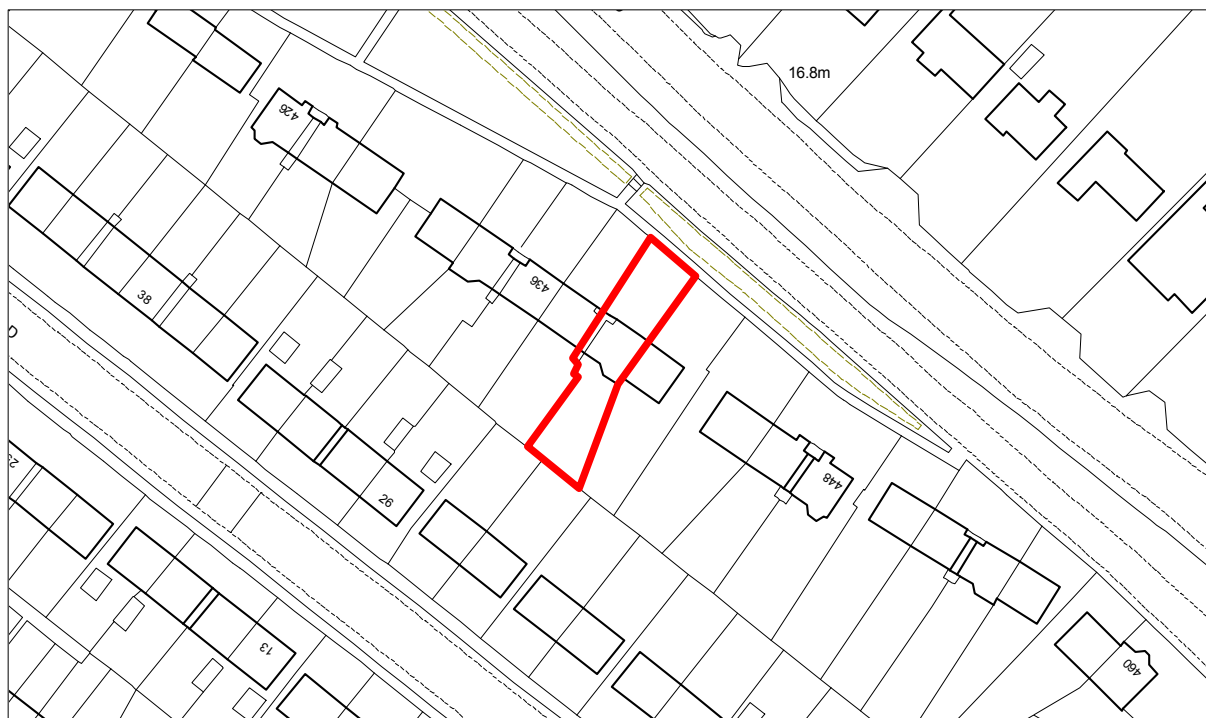
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Agenda Item 6

ITEM NO. 6

COMMITTEE DATE: 25/06/2012

APPLICATION NO: 12/0445/03 FULL PLANNING PERMISSION
APPLICANT: Mr & Mrs M Choules
PROPOSAL: Conservatory on south elevation
LOCATION: 440 Topsham Road, Exeter, EX2 7AL
REGISTRATION DATE: 29/03/2012
EXPIRY DATE: 24/05/2012



Scale 1:2500

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HISTORY OF SITE

12/0445/03 - Conservatory on south elevation

DESCRIPTION OF SITE/PROPOSAL

The application relates to a two storey mid-terraced dwelling built in the inter-war period. The property has painted brick walls, a tiled roof and uPVC windows. At the rear, there is small flat roof ground floor extension to the living room. This application seeks planning permission for the addition of a conservatory to this extension.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

None received.

REPRESENTATIONS

None received.

CONSULTATIONS

South West Water has no objections to the proposals. However, foul drainage must be connected to the public foul or combined sewer. Should no separate storm system be available, details of the means of disposal must be submitted for prior approval. There is a public sewer in the vicinity. No development will be permitted within 3 metres of the sewer without the express consent of South West Water.

PLANNING POLICIES/POLICY GUIDANCE

National Planning Policy Framework

Exeter Local Development Framework Core Strategy
CP17

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

OBSERVATIONS

Policy DG1 of the Exeter Local Plan advises that development should be of a height, volume and massing that is appropriate to the surrounding townscape and should relate well to adjoining buildings, spaces and to human scale. All designs should promote local distinctiveness and contribute positively to the visual richness of the area. Policy DG4 requires that all residential development ensures a quality of amenity that allows residents to feel at ease within their homes and gardens.

The Council's adopted Supplementary Planning Document 'Householder's Guide to Extension Design' amplifies these policies and forms the basis for the City Council's determination of householder planning applications. Chapter 1 sets out the general principles applying to all kinds of extensions. The key principles with regard to this proposal are:-
Principles 3 and 4 - Extensions should not adversely affect neighbouring residential amenities in terms of loss of light, privacy or outlook.
Principle 5 - Extensions should be subservient to the original dwelling.

Chapter 2 of the SPD provides more detailed advice and guidance in respect of rear extensions. The main points to note are:-
- Extensions should not extend beyond the rear wall of the house by more than 3 metres on terraced dwellings. This helps to ensure that extensions are in proportion with the original building and do not harm neighbouring residential amenities.
- Extensions should not normally exceed two-thirds of the width of the original house.

In respect of this application, the key matter relates to the existence of the small ground floor extension, with a depth of 1.2 metres, at the rear of the building. It is adjacent to the boundary with No. 442 Topsham Road. Were it not for the existence of this feature, the proposed conservatory would extend 3.105 metres from the back wall of the dwelling, a mere 0.105 metres more than the 3 metres maximum set out in the aforementioned SPD. However, the presence of the extension means that the proposed conservatory would project 4.3 metres from the rear wall of the house.

Overall, it is not considered that the combined depth of the existing and proposed extensions would result in structures that lack subservience or which would be harmful to the character and appearance of the original dwelling.

Therefore, the main matter to consider is the impact on the neighbouring property, No. 442 Topsham Road. The proposed conservatory would be constructed from light materials, largely glass, and would have a modest height at 3 metres. Furthermore, the hipped roof would mean that the roof would slope away from the boundary. Consequently, any loss of outlook for the neighbouring occupiers would be fairly limited. In addition, the rear gardens to these properties have a south-western orientation meaning any loss of light would be restricted to the later part of the day. However, given the proposed materials for the conservatory, there would be no solid structure blocking significant levels of light to No. 442 Topsham Road.

Consequently, it is recommended that planning permission be granted for this proposal.

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 21 March 2012, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials

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

Background papers used in compiling the report:

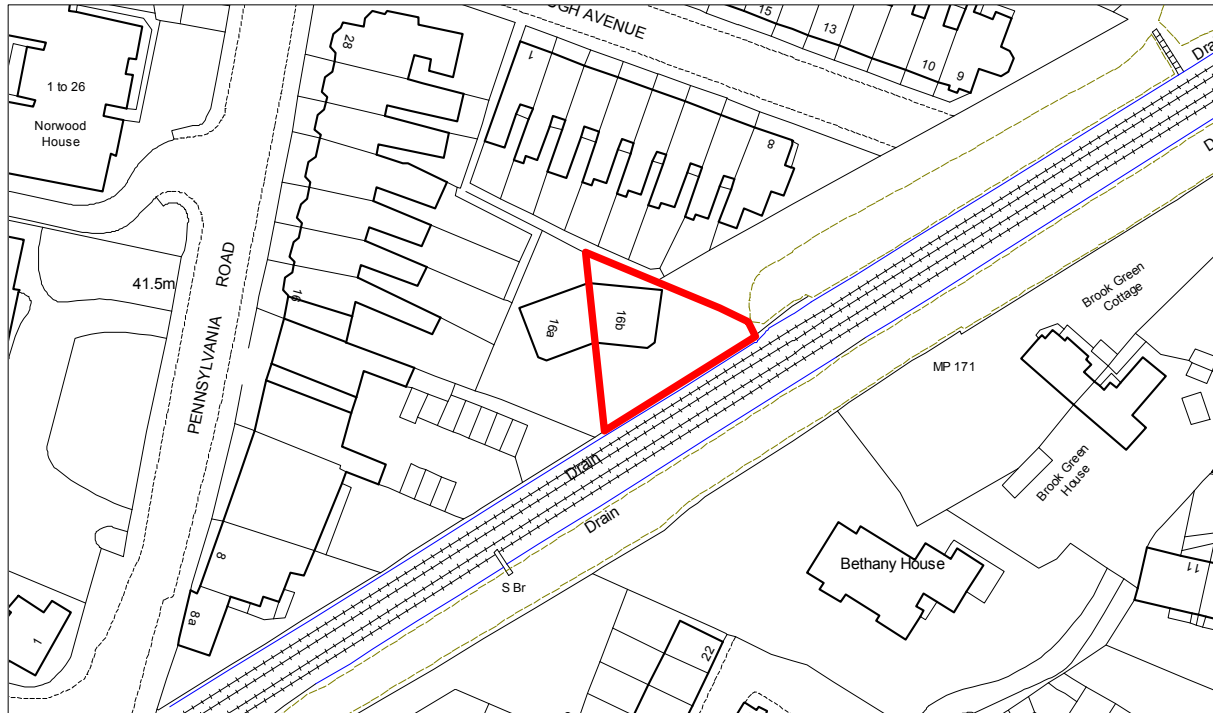
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ITEM NO. 7

COMMITTEE DATE: 21/05/2012

APPLICATION NO: 12/0176/03 FULL PLANNING PERMISSION
APPLICANT: Rev'd D & Mrs J Webber
PROPOSAL: Change of use from dwelling to house in multiple occupation (C4 use)
LOCATION: Bungalow B, 16 Pennsylvania Road, Exeter, EX4 6BH
REGISTRATION DATE: 08/03/2012
EXPIRY DATE: 03/05/2012



Scale 1:1250

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DESCRIPTION OF SITE/PROPOSAL

Bungalow B, Pennsylvania Road is a semi-detached property located in St James. The property is not a Listed Building but does fall within the Longbrook Conservation Area. The property also falls within the recently implemented Article 4 Direction Area relating to houses in multiple occupancy. The property is in a tucked away location behind a terrace of large converted Victorian town houses. In close proximity to the south a railway sits at a lower level whilst to the north sit a number of rear gardens of properties fronting Hillsborough Avenue. Planning Permission is sought for a change of use from a single family dwelling (Use Class C3) to a house in multiple occupancy (Use Class C4).

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by a total of 15 supporting documents. The documents submitted include plans, application forms, land registry documents, deed of release of covenant, continued correspondence between the applicant and their estate agent, sale particulars, a letter from the Assistant Director of City Development and a planning statement.

REPRESENTATIONS

One letter of objection has been received. Planning issues identified include highway safety implications, additional accumulation of litter and rubbish and further in balance in the community.

CONSULTATIONS

The Projects and Business Manager recommends a single condition is incorporated with regard to the provision of on-site cycle storage.

Network Rail raise no objection to the proposal.

The Executive Director of Environment, Economy and Culture has raised no objection to the proposed change of use.

Environmental Health recommend the incorporation of a single informative.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework

Exeter Local Development Framework Core Strategy

CP4 - Density

CP17 - Design and Local Distinctiveness

Devon County Structure Plan 2001-2016

CO6 - Quality of New Development

CO7 - Historic Settlements and Buildings

Exeter Local Plan First Review 1995-2011

H5 - Diversity of Housing

DG1 - Objectives of Urban Design

DG4 - Residential Layout and Amenity

C1 - Conservation Areas

Exeter City Council Supplementary Planning Document

Supplementary Planning Document 'Houses in Multiple Occupation (including Class C4 Uses)'

OBSERVATIONS

Supplementary Planning Document (SPD) 'Houses in Multiple Occupation (including Class C4 Uses)' was agreed by the Council's Executive on the 5 July 2011. The guidance applies to all planning applications for change of use from homes (Class C3 of the Use Classes Order) to C4 (houses in multiple occupation by three to six people) and to 'sui generis' houses in multiple occupation of seven or more occupants, within the areas shown stippled on Plan 1 (see attached).

The purpose of the guidance document is to clarify the implementation of Policy H5 (b) of the Exeter Local Plan. Policy H5 states; 'the conversion of dwellings to flats, self-contained bedsitters or houses in multiple occupation and the development of special needs or student housing will be permitted provided that; the proposal will not create an over concentration of the use in any one area of the city which would change the character of the neighbourhood or create an imbalance in the local community'.

The basis of the policy is that the Council will resist any further changes of use to houses in multiple occupation within an area shown stippled on Plan 1, where the proportion of homes exempt from Council Tax already exceeds 20%. In other words the Council will regard a proportion greater than 20% as an over-concentration of HMO use for the purposes of Policy H5 (b).

The property subject to this application falls within a wider area where an over-concentration of HMO's already exists (exemption as of May 2011 was 21.4% excluding nine streets

excluded from the Article 4 Direction and/or 29.1% including the nine excluded streets) and is subject to immediate restriction. The proposed development is therefore contrary to Policy H5(b) and the LPA's SPD 'Houses in Multiple Occupation (including Class C4 Uses)' because the use would contribute further to an existing over concentration of HMO's identified by the Council to the detriment of the character of the area.

Despite the aforementioned there may be some cases where very localised communities are already so imbalanced that the policy objective of protecting a balance is unlikely to be achieved. In these cases owners of Class C3 dwellings may find difficulty in finding a purchaser for continued Class C3 use and may therefore wish to change to Class C4/HMO use. In considering whether to make an exception in such cases to the policy the SPD cites a number of circumstances in which an exception may be justified. These are;

- a) local representations in support or objection from those directly affected by the proposal,
- b) the proximity of existing Class C4 uses, larger HMOs or Council Tax exempt properties where they might be likely to affect the amenities of normal family life (eg if there were such uses on both adjoining sides),
- c) any demonstrable difficulty in achieving a satisfactory sale of a property as a Class C3 dwelling, and
- d) any other circumstances indicating the policy restriction is causing severe personal hardship.

With regard to point a) 46 letters were sent to neighbouring units as well as the posting of a site notice at the vehicular entrance point on Pennsylvania Road. Only one representation has been received. As indicated above the key objections to the proposal relate to the disproportionate concentration of HMOs throughout the immediate vicinity, the additional littering and rubbish accumulation that would result from the change of use, and the additional parking pressure that would be felt throughout Pennsylvania.

In response to these points the Local Planning Authority maintain the view that the use of a building as a HMO is not always self evident from appearance alone. Further, even if occupied by a family there is no guarantee the family would wish to engage in community activities. The refuse generated by a HMO can become an issue and it is unfortunate the submitted details fail to show where a bin store would be positioned. However, the curtilage of the property is obviously large enough to satisfactorily deal with this issue and a condition could be attached to any approval requiring details to be approved and implemented. In respect of the parking issue the Executive Director of Environment, Economy and Culture has raised no objection to the proposed change of use. The Highway Engineer has confirmed the property will not be entitled to on-street parking permits consequently no additional pressure will be placed on existing parking sensitive areas.

Point b) of the exception test requires the proximity of existing Class C4 uses to be examined. 16B shares a common boundary with four other properties; 16A Pennsylvania Road, 4, 5 and 6 Hillsborough Avenue. All four units at the time of this application are exempt from Council Tax (May 2011) being occupied by students. As well as the aforementioned it is important to note that the whole of Hillsborough Avenue to the north has been excluded from the Article 4 Direction Area due to the number of HMOs already present (72% of properties along Hillsborough Avenue are Council Tax exempt). In addition No's. 16, 18, 20, 22 and 24 Pennsylvania Road have been converted into flats meaning the number of single family households in the immediate vicinity is very low.

Point c) relates to any difficulty encountered in trying to achieve a satisfactory sale of a property as a Class C3 dwelling. The applicant has provided the council with a number of documents that cover the last twelve months. The documents submitted clearly show that over the last calendar year three reductions in price have been agreed, with an overall reduction of approximately £35,000. In addition the documents also demonstrate that three sales have fallen through, most recently in April 2012, mainly due to the difficulty prospective buyers would have when selling the property in the future. The property has been advertised

at £235,000 since October 2011. For sake of comparison the website Rightmove (accessed 1/5/2012) has calculated the average sold price for semi-detached houses in the same post-code over the last seven years is £235,400. Further the same website shows that in excess of 70,000 people have viewed the property online since marketing commenced. Given the evidence submitted the LPA are therefore satisfied that a thorough and extensive marketing programme has been undertaken albeit without success.

The final point relates to any personal hardship being encountered as a result of the policy being implemented. The applicant has provided a list of 'other circumstances' which includes details of past employment as well as family matters. Whilst little weight can be attached to the former, the latter is of relevance. The applicant has confirmed that their return to Sussex is primarily to assist with child care support for their grandchild and to assist with the care of their elderly parents. At present a 500 mile round trip is undertaken every six weeks to provide support, however, such a demand is considered unsustainable in the long term. Modification of the property subject to this application has been explored, however, such an approach is considered unviable in context.

Taking all of the abovementioned into consideration the change of use is considered to be acceptable. The applicant's property is surrounded by existing HMOs and based on the evidence submitted with the application this is a material factor in previous offers being withdrawn. The change of use will not have a detrimental on the amenity of neighbouring properties, given their multi-occupational use, and by virtue of its positioning and lack of prominence within the streetscene its conversion will not have a detrimental impact on the character and/or appearance of the conservation area.

NORTHERN AREA WORKING PARTY

The application was presented to Members on the 30/4/2012. Members were advised that the property fell within the designated Article 4 Direction area and that the applicant was appealing for an exception. Members were advised the application would be presented at full committee.

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 8 March 2012, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall be maintained thereafter.
Reason: To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- 4) Notwithstanding condition No.1, 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: siting and design of refuse storage provision.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

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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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 Assistant Director City Development (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
ASSISTANT DIRECTOR CITY DEVELOPMENT

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Exeter City Council

5/21/2012

All Planning Decisions Made and Withdrawn Applications Between 4/4/2012 and 9/5/2012

FinalDcnLvl

Application Number: 12/0357/29 **Working Party Date:** 3/26/2012 0
Decision Type Raise No Objection **Decision Date:** 4/19/2012
Location: Old Park Farm, Pinn Hill, Exeter, EX1 3TH
Proposal: Reserved matters application for 440 residential units, village centre, open space, landscaping and cycle and pedestrian links pursuant to outline planning permission 10/0641/MOUT (incorporating details of appearance, landscaping, layout and scale), pursuant to outline planning permission 10/0641/MOUT (incorporating details of appearance, landscaping, layout and scale).

ALPHINGTON

Application Number: 12/0305/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: Greenslades Nursing Home, Willeys Avenue, Exeter, EX2 8BE
Proposal: Conservatory on north elevation and fence to north of building

Application Number: 12/0396/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: Stone Lane Retail Park, Marsh Barton Road, Marsh Barton Trading Estate, Exeter, EX2 8LH
Proposal: Prune branches obscuring the totem sign and rebalance the tree.

Application Number: 12/0404/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: Laurel Cottage, 47 Ide Lane, Exeter, EX2 8UT
Proposal: Tree No Species Works
 T1 Conifer Fell

Application Number:	12/0274/03	Working Party Date:	3/27/2012	0
Decision Type	Permitted	Decision Date:	4/23/2012	DEL
Location:	Devon Cottage, Alphington Road, Exeter, EX2 8NA			
Proposal:	Variation of condition two to approve amended plans for the outbuilding showing revised internal layout for office, gym and storage (Ref No 04/0464/03 approved 30 April 2004)			
Application Number:	12/0340/03	Working Party Date:	3/27/2012	0
Decision Type	Permitted	Decision Date:	4/23/2012	COM
Location:	Land off, Grace Road West, Marsh Barton Trading Estate, Exeter, EX2			
Proposal:	Removal of condition 14 restricting delivery hours (Ref No 10/0908/02 granted 30 September 2010)			
Application Number:	11/2022/05	Working Party Date:		
Decision Type	Permitted	Decision Date:	4/24/2012	DEL
Location:	Lidl Supermarket, Powlesland Road, Alphington, Exeter, EX2 8TT			
Proposal:	Non-illuminated freestanding sign, one opposite site entrance facing south west and one on west elevation.			
Application Number:	12/0482/18	Working Party Date:		
Decision Type	Was lawful use	Decision Date:	5/1/2012	DEL
Location:	11 Loram Way, Exeter, EX2 8GG			
Proposal:	Porch on north east elevation (Certificate of lawfulness for proposed development)			
Application Number:	12/0279/05	Working Party Date:	3/27/2012	0
Decision Type	Permitted	Decision Date:	4/10/2012	DEL
Location:	7 Haven Road, Exeter, EX2 8BP			
Proposal:	Halo illuminated individual letters on north west and north east elevations			
Application Number:	12/0280/07	Working Party Date:	3/27/2012	0
Decision Type	Permitted	Decision Date:	4/10/2012	DEL
Location:	7 Haven Road, Exeter, EX2 8BP			
Proposal:	Replacement halo illuminated individual letters on north west and north east elevations			

COWICK

Application Number: 12/0526/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/24/2012 DEL
Location: 44 Wentworth Gardens, Exeter, EX4 1NQ
Proposal: Attached dwelling, parking, access to highway and associated works
(Non-material minor amendment to Planning Permission Ref. 09/0593/03
granted: 05 08 2009)

Application Number: 12/0187/07 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 4/12/2012
Location: Land adjacent to Barley House, Isleworth Road, Exeter
Proposal: Pair of semi detached houses with ancillary works (Amendment to 05/1407/07)

DURYARD

Application Number: 12/0332/03 **Working Party Date:** 3/26/2012 0
Decision Type Permitted **Decision Date:** 4/20/2012 COM
Location: University of Exeter Sports Park, Stocker Road, Exeter, EX4 4QN
Proposal: Covering of the outdoor tennis/netball courts, relocation of existing multi use
games area, provision of changing pavilion with 84 seat viewing balcony next to
all weather pitches and associated works

Application Number: 12/0290/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 12 Roundhill Close, Exeter, EX4 5AQ
Proposal: Replacement ground floor extension on north east elevation

Application Number: 12/0306/03 **Working Party Date:** 3/26/2012 0
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: Lyndhurst, Streatham Rise, Exeter, EX4 4PE
Proposal: Variation of condition two to approve amended drawings including revised
conservatory wall, boundary wall with railings, removal of fanlight above entrance
and alterations to porch (Ref No 10/1934/03 granted 17 Jan 2011)

Application Number: 12/0323/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 14a Hillcrest Park, Exeter, EX4 4SH
Proposal: Re-roofing and extension to roof on west elevation

Application Number: 11/1756/03 **Working Party Date:** 1/30/2012 0
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: Land off Highcroft, Exeter, EX4 4JQ
Proposal: Three detached dwellings, parking and associated works (Plots 4, 5 and 6)
(Amendment to 07/1836/03 granted 12 November 2007)

EXWICK

Application Number: 12/0122/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 92 Gloucester Road, Exeter, EX4 2ED
Proposal: Two storey extension including replacement garage on north east elevation

Application Number: 12/0389/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/24/2012 DEL
Location: Redhills House, Exwick Road, Exeter, EX4 2DA
Proposal: Demolition of outbuilding on west boundary

HEAVITREE

Application Number: 12/0407/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 2 Lymeborne Avenue, Exeter, EX1 3AU
Proposal: Ground floor extension on north west elevation

MINCINGLAKE

Application Number: 12/0173/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/27/2012 DEL
Location: 342 Pinhoe Road, Exeter, EX4 8AF
Proposal: New wall and fence on northern boundary.

NEWTOWN

Application Number: 11/1375/07 **Working Party Date:** 3/28/2012 0
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: St Margarets School, Magdalen Road, Exeter, EX2 4TS
Proposal: Vehicular and pedestrian gates at Baring House

Application Number: 11/1374/03 **Working Party Date:** 3/28/2012 0
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: St Margarets School, Magdalen Road, Exeter, EX2 4TS
Proposal: Vehicular and pedestrian gates at Baring House

Application Number: 11/1389/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012
Location: Elmside House, Elmside, Exeter, EX4 6LR
Proposal: Discharge of Conditions 3, 5, 6, 7 and 17 for Planning Permission Ref No. 11/0620/03 granted 29/07/2011

Application Number: 12/0314/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 1 Baring Crescent, Exeter, EX1 1TL
Proposal: Infill ground floor door opening on north elevation and create new ground floor window on west elevation.

Application Number: 12/0341/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/24/2012 DEL
Location: Cleveland Court, Grosvenor Place, Exeter, EX1 2HJ
Proposal: Tree No. Species Works
T7 Sweet Chestnut Reduce limbs and re-balance crown
T10 Weeping Ash Reduce roadside overhang by 50%

Application Number: 12/0398/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/24/2012 DEL
Location: Cleveland Court, Grosvenor Place, Exeter, EX1 2HJ
Proposal: Tree No. Species Works
T1 Acer Re pollard to break of crown

PENNSYLVANIA

Application Number: 12/0058/03 **Working Party Date:** 3/26/2012 0
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: Cobham, Rosebarn Lane, Exeter, EX4 5ES
Proposal: Ground floor extension on south and east elevations, and replacement ground floor extension and carport on west elevation

Application Number: 12/0334/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/27/2012 DEL
Location: Fallows, Pennsylvania Close, Exeter, EX4 6DJ
Proposal: Two storey extensions on west elevation and north elevation

Application Number: 12/0362/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 4/27/2012 DEL
Location: 30 Marypole Road, Exeter, EX4 7HD
Proposal: Loft conversion with dormer window on south elevation and two velux windows on north elevation (Certificate of lawfulness for proposed development)

Application Number: 12/0057/03 **Working Party Date:** 3/26/2012 0
Decision Type Permitted **Decision Date:** 4/4/2012 DEL
Location: West Cobham, Rosebarn Lane, Exeter, EX4 5ES
Proposal: Replacement two storey dwelling, parking and associated works

PINHOE

Application Number: 12/0325/21 **Working Party Date:** 3/26/2012 0
Decision Type Prior Approval Required **Decision Date:** 4/23/2012 DEL
Location: Junction of Pinbrook Road and Exhibition Way, Exeter, EX4 8HT
Proposal: Base station installation including 12.5m high monopole supporting three antennas, cabinet and ancillary development

Application Number: 12/0421/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 5/1/2012 DEL
Location: 31 Brookside Crescent, Exeter, EX4 8NE
Proposal: Ground floor extension on south west elevation (Certificate of lawfulness for Proposed Development)

Application Number: 12/0369/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/10/2012 DEL
Location: 14 Bindon Road, Exeter, EX4 9HN
Proposal: Tree No. Type Works
 T4 Oak Pollard to main fork at 5m

POLSLOE

Application Number: 12/0512/18 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/24/2012 DEL
Location: 19 St. Johns Road, Exeter, EX1 2HR
Proposal: Loft conversion with flat dormer on west elevation and velux windows (2) on east elevation (Certificate of lawfulness for proposed development)

PRIORY

Application Number: 12/0343/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: 148 Lower Wear Road, Exeter, EX2 7BD
Proposal: Conservatory on north west elevation

Application Number: 12/0345/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 4/23/2012 DEL
Location: 20 Kipling Drive, Exeter, EX2 5BX
Proposal: First floor extension with balcony on south east elevation

Application Number: 12/0349/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/24/2012 DEL
Location: 2 The Barton, Mill Road, Exeter, EX2 6LJ
Proposal: Ground floor extension on the south east elevation.

Application Number: 12/0350/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/24/2012 DEL
Location: 2 The Barton, Mill Road, Exeter, EX2 6LJ
Proposal: Ground floor extension on the south east elevation, replacement door on the north east elevation and other minor works.

Application Number: 12/0178/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 18 Southernhay East, Exeter, EX1 1QD
Proposal: Change of use on all floors from Office to Office and Medical.

Application Number: 12/0197/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 5 Cathedral Close, Exeter, EX1 1EZ
Proposal: Internally (1) and externally (1) illuminated hanging signs and internally illuminated menu board

Application Number: 12/0199/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 5 Cathedral Close, Exeter, EX1 1EZ
Proposal: Replacement internally (1) and externally (1) illuminated hanging signs and internally illuminated menu board on south west elevation

Application Number: 12/0277/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 18 Lower North Street, Exeter, EX4 3ET
Proposal: Alteration to remove external staircase and use existing internal staircase and amendment to internal layout (Non-material minor amendment to Planning Application Ref No. 10/1880/03 granted: 23 12 2010)

Application Number: 12/0292/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: The Meeting House, Wynards Lane, Exeter, EX2 4HU
Proposal: Installation of 30 roof integrated photo voltaic tiles on the east elevation.

Application Number: 12/0330/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 1 New Bridge Street, Exeter, EX4 3JW
Proposal: Change of use of ground floor from retail to financial and professional services

Application Number: 12/0392/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: Southgate Hotel, Southernhay East, Exeter, EX1 1QF
Proposal: First and second floor internal alterations to convert 4 existing hotel bedroom suites into 8 standard bedrooms.

Application Number: 12/0545/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: Episcopal Building and York Wing, Dinham Road, Exeter, EX4
Proposal: Reversing of the order of the front door and window to Unit 46, York Wing (Non-material minor amendment to Planning Permission Ref No. 06/1147/03 granted: 14 06 2007)

Application Number: 11/2055/07 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 4/27/2012 DEL
Location: The Old Deanery, The Cloisters, Cathedral Close, Exeter, EX1 1HS
Proposal: Installation of inner handrails to the Great Hall staircase.

Application Number: 12/0180/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/27/2012 DEL
Location: 14-15 High Street, Exeter, EX4 3LH
Proposal: Internally illuminated fascia sign (2) and projecting sign (2) on the north west elevation.

Application Number: 12/0312/03 **Working Party Date:** 4/30/2012 0
Decision Type Permitted **Decision Date:** 4/30/2012 DEL
Location: 39 New Bridge Street, Exeter, EX4 3AH
Proposal: Change of use from retail to restaurant

Application Number: 12/0313/07 **Working Party Date:** 4/30/2012 0
Decision Type Permitted **Decision Date:** 5/1/2012 DEL
Location: 39 New Bridge Street, Exeter, EX4 3AH
Proposal: Internal opening into No. 38 and formation of disabled cloakroom

Application Number: 12/0455/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 5/1/2012 DEL
Location: Communal gardens rear of 10 Dinham Crescent, Exeter, EX4 4EF
Proposal: Tree No Species Works
 T1 Silver Birch Fell

Application Number: 12/0339/03 **Working Party Date:** 3/27/2012 0
Decision Type Withdrawn by Applicant **Decision Date:** 4/12/2012
Location: 68 South Street, Exeter, EX1 1EE
Proposal: Change of use of ground floor from hairdressers to tattoo shop

Application Number: 11/0551/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/19/2012
Location: The Castle, Castle Street, Exeter, EX4 3PS
Proposal: Discharge of Conditions 6, 7, 8 and 11 for Planning Permission Ref No. 10/1331/03 granted 01/10/2010

Application Number: 12/0099/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: Broadwalk House, Southernhay West, Exeter, EX1 1LF
Proposal: Externally illuminated fascia signs on east elevation of north and south lobbies.

Application Number: 12/0110/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: 21 Cathedral Yard, Exeter, EX1 1HD
Proposal: Replacement extract riser and four condensers on north west elevation

Application Number: 12/0109/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: 21 Cathedral Yard, Exeter, EX1 1HD
Proposal: Externally illuminated fascia and hanging sign, internally illuminated menu box and retractable awning with lettering

ST JAMES

Application Number: 12/0019/03 **Working Party Date:** 3/26/2012 0
Decision Type Refuse Planning Permission **Decision Date:** 4/4/2012 DEL
Location: 52 Longbrook Street, Exeter, EX4 6AH
Proposal: Change of use from offices to house in multiple occupation, dormer window on east and west elevations and replacement window on east elevation

Application Number: 12/0020/07 **Working Party Date:** 3/26/2012 0
Decision Type Refuse Planning Permission **Decision Date:** 4/4/2012 DEL
Location: 52 Longbrook Street, Exeter, EX4 6AH
Proposal: Alterations to create house in multiple occupation including dormer window on east and west elevations and replacement window on east elevation

Application Number: 12/0383/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 PER
Location: 1-11, Sidwell Street, Exeter, EX4 6NW
Proposal: Roof terrace at fourth floor level on south elevation

Application Number: 12/0307/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: Flat 1, 18 Pennsylvania Road, Exeter, EX4 6BH
Proposal: Replacement ground floor extension on east elevation

Application Number: 12/0333/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 11 The Quadrangle, Horseguards, Exeter, EX4 4UX
Proposal: Rooflights on north east (1) and south west (1) elevations

Application Number: 12/0308/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 11 The Quadrangle, Horseguards, Exeter, EX4 4UX
Proposal: Rooflights on north east (1) and south west (1) elevations and internal alterations including staircase to provide additional living accommodation in roof

Application Number: 12/0356/03 **Working Party Date:** 3/26/2012 0
Decision Type Permitted **Decision Date:** 5/1/2012 DEL
Location: 51 Union Road, Exeter, EX4 6HU
Proposal: Two storey detached dwelling, outbuilding, parking and associated works

Application Number: 12/0318/06 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 4/5/2012
Location: 95 Howell Road, Exeter, EX4 4LH
Proposal: Tree no. Species Work
 T1 Oak Crown reduce by 40%
 T2 Holm Oak Crown reduce by 30%

Application Number: 12/0353/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/10/2012 DEL
Location: 59 Thornton Hill, Exeter, EX4 4NR
Proposal: Tree No. Type Works
 T1 Holly Fell

ST LEONARDS

Application Number: 12/0516/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/24/2012 DEL
Location: 38 Marlborough Road, Exeter, EX2 4TJ
Proposal: Removal of chimney stack on south east elevation (Non-material minor amendment to planning permission ref no:10/2052/03 granted: 7 February 2011)

Application Number: 12/0177/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/27/2012 DEL
Location: 5 Mount Radford Crescent, Exeter, EX2 4EN
Proposal: Two story extension on the south elevation.

Application Number: 12/0242/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/27/2012 DEL
Location: 5 Mount Radford Crescent, Exeter, EX2 4EN
Proposal: Two story extension on the south elevation.

Application Number: 12/0079/03 **Working Party Date:** 3/27/2012 0
Decision Type Permitted **Decision Date:** 5/1/2012 DEL
Location: 35A Wonford Road, Exeter, EX2 4PG
Proposal: First floor extension and alterations to create two storey dwelling and wall on north east boundary

Application Number: 12/0153/07 **Working Party Date:** 3/27/2012 0
Decision Type Permitted **Decision Date:** 4/10/2012 DEL
Location: 11 Victoria Park Road, Exeter, EX2 4NT
Proposal: Re-roof with natural slate and remove chimney

Application Number: 12/0185/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 4/20/2012 DEL
Location: 64 Fleming Way, Exeter, EX2 4TP
Proposal: Conservatory on east elevation

Application Number: 12/0230/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: 11 Victoria Park Road, Exeter, EX2 4NT
Proposal: Two storey and basement extension on west elevation, ground floor/basement extension on south elevation, enlarged parking area and other works

Application Number: 12/0231/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: 11 Victoria Park Road, Exeter, EX2 4NT
Proposal: Replace ground floor extension on west elevation with two storey and basement extension, replace ground floor extension and garage on south elevation with ground floor/basement extension, enlarged parking area and various other internal and external alterations

ST LOYES

Application Number: 12/0300/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/20/2012 DEL
Location: Tesco Stores Ltd, Russell Way, Exeter, EX2 7EZ
Proposal: Installation of welcome wall adjacent to lobby entrance

Application Number: 11/2008/03 **Working Party Date:** 2/1/2012 00
Decision Type Permitted **Decision Date:** 4/23/2012 COM
Location: Unit 7, Rydon Lane Retail Park, Rydon Lane, Exeter, EX2 7HX
Proposal: Variation of condition 6 to allow retail use (leisure/sport). (Ref No. 01/0084/01 approved 06 February 2002)

Application Number: 12/0299/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/24/2012 DEL
Location: Tesco Stores Ltd, Russell Way, Exeter, EX2 7EZ
Proposal: Various signs (64) including car park pole mounted signage, tablet signs, window vinyls, gantry signage and ATM signage

Application Number: 12/0342/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/24/2012 DEL
Location: Building 4 Capital Court, Bittern Road, Sowton Industrial Estate, Exeter, EX2
Proposal: Alterations to provide additional parking spaces and associated landscaping

Application Number: 12/0436/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 4/24/2012 DEL
Location: 12 Lords Way, Exeter, EX2 5UG
Proposal: Ground floor extension on south west elevation (Certificate of lawfulness for proposed development)

Application Number: 12/0211/38 **Working Party Date:** 5/2/2012 00
Decision Type Permitted **Decision Date:** 5/3/2012 DEL
Location: Centurion Mill, Kestrel Way, Sowton Industrial Estate, Exeter, EX2 7LA
Proposal: Change of use of part of building from manufacturing facility to assembly and leisure (Class D2) for use as indoor play centre for children, alterations to building entrance, cycle storage on east elevation, access ramps, waste storage area on north boundary, parking and associated works. (Extension of time to Planning Permission Ref No. 08/2293/03 granted: 25 02 2009)

ST THOMAS

Application Number: 12/0289/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 60 Wardrew Road, Exeter, EX4 1HA
Proposal: Single storey extension on the east elevation.

TOPSHAM

Application Number: 11/1984/03 **Working Party Date:** 3/28/2012 0
Decision Type Permitted **Decision Date:** 4/23/2012 COM
Location: Former Royal Naval Store Depot, Topsham Road, Exeter, EX2 7AH
Proposal: Community facilities building to include access to highway, disabled parking, visitors parking court, bins and cycle storage facilities, landscaping and engineering works

Application Number: 12/0363/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 12 Fore Street, Topsham, Exeter, EX3 0HF
Proposal: First floor balcony on the north east elevation and associated works.

Application Number: 12/0379/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: Middleton, 13 Station Road, Topsham, Exeter, EX3 0DS
Proposal: Tree No: Species: Work:
 T1 Willow Remove some regrowth from previous pollarding

Application Number: 12/0391/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: Newport Caravan Park, Exeter Road, Topsham, Exeter, EX3
Proposal: Tree No. Species Works
 T25 Cedar Trim back new growth from mobile home by 1.8 metres approx.
 T77 Beech Lift crown on west side away from mobile home
 T111 Sycamore Fell to ground level
 T45 Holm Oak Pollard at 10m
 T63 Eucalyptus Pollard to encourage regrowth
 T38 Ash Lift crown to 6m to let light through to mobile home

Application Number: 12/0131/02 **Working Party Date:** 3/28/2012 0
Decision Type Permitted **Decision Date:** 4/24/2012 COM
Location: Land north of Nos. 483 to 541, and Seabrook Mews, Topsham Road, forming part of former RNSD site, Exeter, EX2
Proposal: Redevelopment to provide 112 dwellings, parking and associated works (approval of reserved matters on Ref.07/2169/01 granted on 17/05/10) for layout, appearance, scale, access and landscaping.

WHIPTON BARTON

Application Number: 12/0261/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/23/2012 DEL
Location: 58 Leypark Road, Exeter, EX1 3NX
Proposal: Hardstanding and access to highway

Application Number: 12/0288/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/27/2012 DEL
Location: 3 Dotton Close, Exeter, EX1 3US
Proposal: Ground and first floor extension on south elevation

Application Number: 12/0360/38 **Working Party Date:** 3/26/2012 0
Decision Type Permitted **Decision Date:** 4/27/2012 DEL
Location: Land Adjoining Grenadier Road and, Pinn Lane, Exeter, EX1
Proposal: Development to provide three storey building for use as offices, parking, access to highway and associated works (appearance, landscaping and layout reserved for future consideration) (Extension of time for extant planning permission Ref No. 09/0163/01 granted 15 05 2009)

Application Number: 12/0412/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 5/1/2012 DEL
Location: Met Office, FitzRoy Road, Exeter, EX1 3PB
Proposal: Installation of photovoltaic array across roof of J & H block and access stairway, walkways and guardrails

Application Number: 12/0365/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 4/4/2012 DEL
Location: 19 Hollow Lane, Exeter, EX1 3PH
Proposal: Ground floor workshop on west elevation (Certificate of lawfulness for proposed development)

Application Number: 12/0135/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 4/17/2012 DEL
Location: Land to rear of, 26-36 Leypark Road, Exeter, EX1 3NX
Proposal: Discharge of Conditions 3, 4, 5, 6, 9 and 10 to Planning Application 09/1290/03 granted: 29 09 2009

Total Number of Decisions Made:

103

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

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EXETER CITY COUNCIL

PLANNING COMMITTEE 21 May 2012

ENFORCEMENT PROGRESS REPORT

1.0 PURPOSE OF REPORT

- 1.1 To update Members on enforcement matters.

2.0 CASES OPENED AND CLOSED BETWEEN 27 FEBRUARY 2012 AND 30 APRIL 2012

Cases opened: 17
Cases closed: 10
Outstanding number of cases: 79

3.0 NOTICES ISSUED

- 3.1 None

4.0 NOTICES COMPLIED WITH

- 4.1 ENF/10/23 – 6 Florida Drive, Exeter – Enforcement Notice issued on 6 June 2011 for a change of use from land providing a visual amenity for the public benefit, to land forming part of the private garden of a dwelling. The Notice came into effect on 11 July 2011 and gave a period of two months for compliance.

- 4.2 An enforcement notice appeal was received in July 2011 and subsequently dismissed on 24 January 2012. A site visit on 7 March 2012 confirmed that the fence enclosing the land within the private garden had been removed and the enforcement notice complied with.

- 4.3 ENF/08/98 – Silver Springs, 12 Richmond Road, Exeter – Listed Building Enforcement Notice issued on 2 September 2009 for:

- (a) Installation of uPVC windows, fascia boards and rainwater goods on front and rear elevations of the building
- (b) Installation of brick boiler house and pipework on the land at the rear of the building
- (c) Installation of timber panel fence on the land between the garden and parking area
- (d) Installation of a structure comprising a dwarf wall and plastic rooflight with wooden frame on land at the front of the building

The Notice came into effect on 5 October 2009 and gave a period of 8 months for compliance.

- 4.4 A listed building enforcement notice appeal was received in October 2009 and subsequently dismissed on 18 August 2010. Over the course of the last eighteen months, the Council has granted listed building consent under applications 10/2070/07, 10/2071/07, 11/2042/07 and 11/2043/07 for various works to address those issues referred to in the listed building enforcement

notice. The Council is now satisfied that the unauthorised elements (a)-(d) have been removed and the listed building enforcement notice complied with.

5.0 CURRENT APPEALS

- 5.1 ENF/11/20 – Chunky Monkey, Weircliffe Park, St Andrew Road, Exeter – Enforcement Notice issued on 21 October 2011 for a change of use of part of the premises from industrial/workshop purposes to use as a single dwelling for residential purposes. An appeal was submitted on 30 November 2011 and is being dealt with by written representations. The Council's statement was submitted on 19 December 2011. The Inspector's decision is now awaited.

6.0 ENFORCEMENT APPEAL DECISIONS

- 6.1 None

7.0 OTHER ISSUES

- 7.1 None

8.0 RECOMMENDATION

- 8.1 That this report be noted.

RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT

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

EXETER CITY COUNCIL

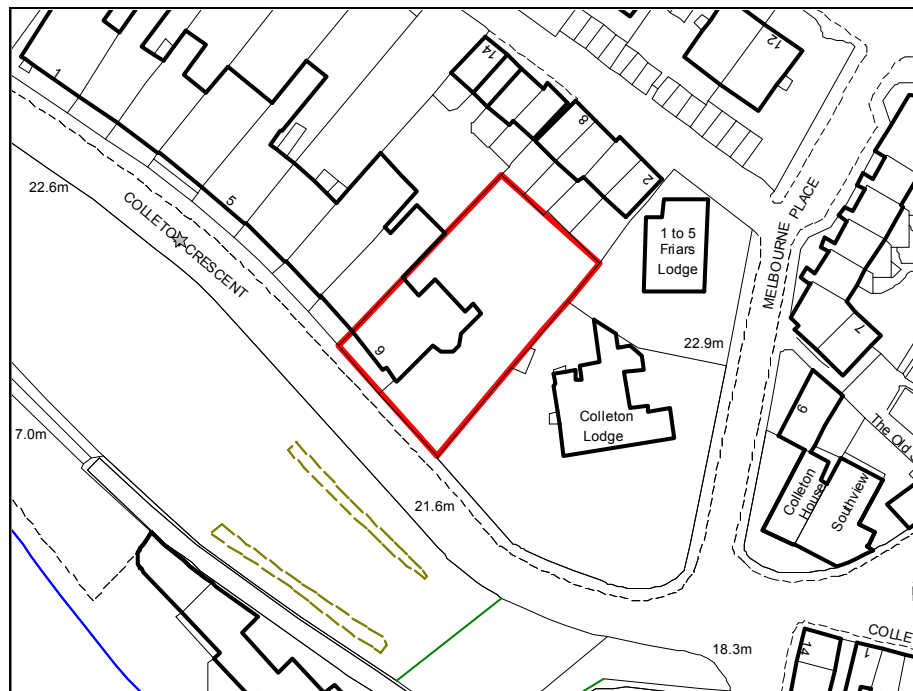
PLANNING COMMITTEE
21 MAY 2012

APPEALS

DECISIONS RECEIVED

SUMMARY: 5 appeal decisions have been received since the last report: all were dismissed.

9 Colleton Crescent, Exeter, Devon, EX2 4DG.



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Reference Nos: 11/1255/07 (Appeal A)
11/1256/03 (Appeal B)

Proposals: 1) Construction of an opening in the wall between the dining room and the living room for the installation of a set of double doors (Appeal A).
2) Alterations to provide a basement apartment (Appeal B).

Application Decisions: Delegated Refusal

Types of Appeal: Written representations

Appeal Decisions: BOTH DISMISSED

Grounds:

The main issues were whether the proposal would preserve the Grade II* listed building at 9 Colleton Crescent or any features of special architectural or historic interest which it possesses (Appeal A only) and; whether the proposal would provide adequate living conditions for occupiers of the proposed apartment, having particular regard to light and outlook (Appeal B only).

1-9 Colleton Crescent is an attractive red brick terrace of three and four storey houses built at the beginning of the 19th century located within the Southernhay and The Friars Conservation Area. This row of Georgian buildings contained a mix of residential and business uses.

Appeal A

9 Colleton Crescent has recently been subject to sympathetic renovation and restoration work and is now being re-used as a dwelling. The works include structural repairs to the internal wall between the first floor living and dining rooms. As set out within the appellants' 'Assessment of Significance', the interior is well preserved and the original layout remains essentially intact.

The Inspector concurred with the Council that the significance of 9 Colleton Crescent as a heritage asset included the design and form of the first floor reception rooms. This added considerably to the aesthetic value of these rooms as architectural spaces. The proportions, walls, doors and details of these spaces, including the single point of entry/exit to the dining room, were integral to the original plan of this high status house. As noted in *PPS5 Planning for the Historic Environment: Historic Environment Planning Practice Guide 2010*, the plan form of a building is frequently one of its most important characteristics. The Inspector considered the proposed works would disrupt the design and interior plan form/layout of these principal rooms, considerably eroding the aesthetic value of these internal spaces. The scheme would unacceptably diminish the significance of a building which is of more than special interest. This harm would not be outweighed by any versatility the works would bring to the continuing use of the building as a family-home.

On the first issue the Inspector concluded that the proposal would fail to preserve the Grade II* listed building at 9 Colleton Crescent or the features of special architectural or historic interest which it possesses, contrary to ELP Policy C2 and the NPPF.

Appeal B

The Inspector accepted that the proposed apartment would add to the housing stock and provide the appellants with additional income that could assist in the maintenance of the building. However, national and local planning policies required residents to have good standards of amenity. In this regard, the Council's *Residential Design SPD* advises that residents should "*feel at ease in their homes*" with sufficient daylight to allow comfortable use and a good quality outlook.

The Inspector noted that no shadow path analysis had been carried out as advised in the SPD. He considered that whilst there was likely to be adequate daylight within bedroom 1 and much of the proposed "*open plan living space*", the amount of natural light within proposed bedroom 2 would be inadequate.

The outlook from the habitable rooms within the apartment would be constrained by the proximity of garden/boundary walls resulting in an oppressive outlook from bedroom 2.

Together with the Inspector's findings above in respect of natural light, he considered living conditions within this part of the apartment would be gloomy and bleak. Residents of this apartment would be unlikely to feel at ease in their home.

The Inspector concluded in respect of the second main issue that the proposal would be unlikely to provide adequate living conditions for occupiers of the proposed apartment, contrary to ELP Policy DG4(b), the Council's SPD and the NPPF.

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9 Woodland Road, Exeter EX1 3PL



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Reference No: 11/1339/03

Proposal: Loft conversion to include replacement of roof and side dormer and replacement side porch.

Application Decision: Delegated Refusal

Type of Appeal: Householder

Appeal Decision: DISMISSED

Grounds:

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

The appeal related to a detached bungalow situated on a spacious plot within Woodland Road. Existing surrounding development included a mix of single and two storey dwellings. Traditional pitched or hipped roofed forms predominated. Where dormer windows had been added, these were mainly in the form of individual flat or pitched roofed dormers of moderate size.

The Inspector therefore shared the Council's concern about the size, length and bulk of the proposed side dormer, which would extend down almost the full length of the side elevation. Because of the gaps between the buildings, the proposed dormer would be very prominent in the street scene and, given the characteristics described above, would appear as a discordant and obtrusive addition to the dwelling.

This objection is not outweighed by the advantage of removing the somewhat awkward flat roofed sections of the existing bungalow. The Inspector saw no reason why it should not be possible to design a scheme that resolves the problem of the existing flat roofs whilst also respecting the character and context of the host property.

The Inspector took this view particularly in light of the national advice on design, which is carried forward in the recently published National Planning Policy Framework, and which makes it clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. In this respect, the Framework was broadly consistent with saved DSP Policy CO6 and ELP Policy DG1 and the Council's adopted *Householder's Guide* SPD, to the extent that these seek to ensure that development is compatible with its surroundings and respects the character and features of the environment.

The Inspector concluded that the proposed development would cause significant harm to the character and appearance of the area, in contravention of the above policies. He considered this harm to be significant and over-riding and not outweighed by the improvements that would be made to the property and the accommodation.

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The Range, 1 Water Lane, Havens Bank, Exeter, EX2 8BY



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Reference No: 11/1674/05

Proposal: Appeal against Condition 3 of Advertisement Approval 11/1674/05 to allow the continued display of window vinyl advertisements on south west and north west elevations.

Application Decision: Delegated Refusal

Type of Appeal: Written representations

Appeal Decision: DISMISSED

Grounds:

The main issue was whether the imposed condition was justified in the interests of the visual amenity of the surrounding area.

The appeal followed the Council's decision on an application for retrospective express consent to upgrade the existing scheme of signage for a store in the Haven Banks Retail Park. The Council granted consent for a number of replacement signs on 14 November 2011. However, Condition 3 of the consent excluded a new element in the application, the window vinyls. The appeal sought the deletion of that condition with the effect of thereby extending the express consent to those vinyls.

The Range occupies an end unit of the Haven Banks Retail Park. Its access fronts the shared car park, but the side elevation faces Water Lane. Both the front and side

elevations have large, double-height, windows at first floor level. The vinyl advertisements, which remain in place, are on the window to the right of the entrance facing the car park and along three windows on the side elevation. Altogether the front and side vinyls have a total area approaching 80m².

The Inspector agreed with the Council that the scale, height, colour and nature of the vinyl displays resulted in a highly visible element in the street scene. Not only did the vinyl display adjacent to the store entrance dominate the access to the car park from Water Lane, but the vinyls on the side elevation represented significant intrusions into the street scene. The impact on the visual amenity of the surrounding area was exacerbated by the proximity of residential properties, including some immediately opposite the store's side elevation. The vinyl advertisements were visible from a number of these properties and represented a visual intrusion into the living conditions of the occupants and significant material harm to the character and appearance of the surrounding area.

The Inspector did not accept the appellant's suggestion that the vinyls benefitted the appearance of the store by screening its interior. He agreed with the Council that the effect of the vinyls was to alter the character of the building in a manner that did nothing to benefit its relationship to the street scene or the surrounding area.

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19 Hazel Road, Exeter, EX2 6HH



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Reference No: 12/0064/03

Proposal: Retention of a 1.8 metre high boundary fence around front garden.

Application Decision: Delegated Refusal

Type of Appeal: Householder

Appeal Decision: DISMISSED

Grounds:

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

The property is in an estate of mid-20th century red brick, semi-detached dwellings which produce a regular pattern in the street scene. Front boundary treatments vary greatly with a number of properties having hedges, including some above 1.8 metres in height, whilst others have waist-high brick walls or fences.

The Inspector strongly agreed with the Council that the wood panel fencing that had been used at the front of the property appeared more appropriate to a back garden rather than a property's street frontage. He also agreed with the Council that the scalloped form of the panels used emphasised the unusual nature of the boundary treatment adopted for the front garden. The erected fencing not only spanned the dwelling's frontage but also the boundaries that separated it from the properties on either side. The overall impression was of a very strong sense of enclosure with No 19 cutting itself off both from the street and its neighbours.

Although the Inspector considered that the visual impact of the fencing was reduced by the drop in levels when seen from the road, he thought that that change in level exaggerated the sense of enclosure when the fencing was seen from the adjacent footway. Moreover, the boundary treatment was sufficiently uncharacteristic of the area to cause it to be exceptionally visually prominent, drawing the eye in the street scene when seen from either direction. He considered the fence to be an intrusive and unsympathetic form of development.

The Inspector appreciated the appellant's wish for privacy. However, he considered that a sufficient degree of enclosure could be achieved with alternative front boundary treatments, such as hedging, as had been used elsewhere in the area. These would result in a more attractive outcome in greater harmony with the character of the area. The present treatment, by contrast, is neither of a form nor uses materials that relate well to that predominant character. He concluded that the development was therefore contrary to ELP Policy DG1.

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APPEALS LODGED

Application	Proposal	Start Date	Received Date
11/1339/03 9 Woodland Road, Exeter, EX1 3PL	Alterations to roof including raising of ridge level, gables, rooflights, juliet balcony and dormer window, and porch on north elevation	28/03/2012	28/03/2012
11/1065/03 Thomas Moore, 102-104, Fore Street, Exeter, EX4 3JB	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)	28/03/2012	28/03/2012
12/0150/03 5 Kimberley Road, Exeter, EX2 4JG	Dormer window on north elevation	01/05/2012	01/05/2012
11/2028/07 42 The Strand, Topsham, Exeter, EX3 0AY	Ground floor extension on the east elevation.	01/05/2012	01/05/2012

RICHARD SHORT ASSISTANT DIRECTOR CITY DEVELOPMENT

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: -

City Development, Civic Centre, Paris Street, Exeter (01392) 265223

EXETER CITY COUNCIL

PLANNING COMMITTEE

21 MAY 2012

SUGGESTED SCHEDULE OF DATES FOR FUTURE MEETINGS

1.0 PURPOSE OF REPORT

- 1.1 To agree a schedule of dates for meetings of the Planning Member Working Group.

<u>Date for Planning MWG</u>	<u>Planning Committee Date</u>
Tuesdays	Mondays
12 June 2012 & 19 June 2012	25 June 2012
10 July 2012	23 July 2012
21 August 2012	3 September 2012
18 September 2012	1 October 2012
16 October 2012	29 October 2012
20 November 2012	3 December 2012
02 January 2013 (wed due to b/h)	14 January 2013
05 February 2013	18 February 2013
05 March 2013	18 March 2013
02 April 2013	15 April 2013
07 May 2013	20 May 2013

- 2.0 **RECOMMENDED** that the above dates be confirmed.

THE CORPORATE MANAGER DEMOCRATIC AND CIVIC SUPPORT

CHIEF EXECUTIVE'S DEPARTMENT

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

None

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Agenda Item 12

EXETER CITY COUNCIL

PLANNING COMMITTEE

21 MAY 2012

AREA WORKING PARTIES SCHEDULE OF DATES

1.0 PURPOSE OF REPORT

1.1 To agree a schedule of dates for meetings of Area Working Parties.

2.0 BACKGROUND

2.1 All meetings of the working parties will be held in at 12.30 pm followed, if necessary, by site visits. The Assistant Director City Development will forward copies of the agenda to Ward Councillors.

2.2 The following dates are proposed, as far as possible, in the three weeks preceding each meeting of the Planning Committee.

<u>Working Party</u>	<u>Date</u>	<u>Planning Committee Date</u>
Northern Western Southern	1 June 2012 (Friday) 6 June 2011 (12 noon) 6 June 2011 (1.30pm)	25 June 2012
Northern Western Southern	2 July 2012 3 July 2012 4 July 2012	23 July 2012
Northern Western Southern	13 August 2012 14 August 2012 15 August 2012	03 September 2012
Northern Western Southern	10 September 2012 11 September 2012 12 September 2012	01 October 2012
Northern Western Southern	08 October 2012 09 October 2012 10 October 2012	29 October 2012
Northern Western Southern	12 November 2012 13 November 2012 14 November 2012	03 December 2012
Northern Western Southern	10 December 2012 11 December 2012 12 December 2012	14 January 2013
Northern Western Southern	28 January 2013 29 January 2013 30 January 2013	18 February 2013

Northern	25 February 2013	
Western	26 February 2013	18 March 2013
Southern	27 February 2013	
Northern	26 March 2013	
Western	27 March 2013	15 April 2013
Southern	28 March 2013	
Northern	29 April 2013	
Western	30 April 2013	20 May 2013
Southern	1 May 2013	

2.3 Suggested membership for the Working Parties for 2012/13 will follow. Any Member who cannot make a meeting is asked to nominate a substitute from those on the Committee.

3.0 RECOMMENDED that:-

- (1) the schedule of dates for Working Party meetings be approved; and
- (2) the composition of the Area Working Parties be approved (schedule to follow).

CORPORATE MANAGER DEMOCRATIC AND CIVIC SUPPORT

CHIEF EXECUTIVE'S DEPARTMENT

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

None

EXETER CITY COUNCIL

PLANNING COMMITTEE

21 MAY 2012

SITE INSPECTIONS - ROTA FOR VISITS

1.0 PURPOSE OF REPORT

- 1.1 To agree a schedule of dates for site inspection parties.
- 1.2 Inspection will commence at 9.30 a.m.
- 1.3 A suggested schedule of Members for site inspection parties will follow.
- 1.4 Proposed dates for site inspections are:-
 - Tuesday 12 June 2012
 - Tuesday 10 July 2012
 - Tuesday 21 August 2012
 - Tuesday 18 September 2012
 - Tuesday 16 October 2012
 - Tuesday 20 November 2012
 - Wednesday 2 January 2013
 - Tuesday 5 February 2013
 - Tuesday 5 March 2013
 - Tuesday 2 April 2013

- 2.0 **RECOMMENDED** that the above rota be approved.

CORPORATE MANAGER DEMOCRATIC AND CIVIC SUPPORT

CHIEF EXECUTIVE'S DEPARTMENT

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

None

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