

PLANNING

Date: Monday 5 December 2016
Time: 5.30 pm
Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

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

Membership -

Councillors Sutton (Chair), Lyons (Deputy Chair), Bialyk, Denham, Edwards, Foale, Gottschalk, Harvey, Mrs Henson, Morse, Newby, Prowse and Spackman

Agenda

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

1 Apologies

To receive apologies for absence from Committee members.

2 Declarations of Interest

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

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

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

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

Public Speaking

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

- 4 Planning Application No. 16/1376/03 - Former Richards Aquatics, Market Street, Exeter**

To consider the report of the Assistant Director City Development. (Pages 5 - 10)
- 5 Planning Application No. 16/0864/03 - Land to rear of Crawford Hotel, Alphington Road, Exeter**

To consider the report of the Assistant Director City Development. (Pages 11 - 20)
- 6 Planning Application No. 16/1068/03 - Hope Court, Prince of Wales Road, Exeter**

To consider the report of the Assistant Director City Development. (Pages 21 - 28)
- 7 List of Decisions Made and Withdrawn Applications**

To consider the report of the Assistant Director City Development. (Pages 29 - 56)
- 8 Appeals Report**

To consider the report of the Assistant Director City Development. (Pages 57 - 58)
- 9 SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 20 December 2016 at 9.30 a.m. The Councillors attending will be Mrs Henson, Edwards and Foale.

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 9 January 2017** at 5.30 pm in the Civic Centre.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265107 for further information.

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Agenda Item 4

ITEM NO. 4

COMMITTEE DATE: 05/12/2016

APPLICATION NO: 16/1376/03 FULL PLANNING PERMISSION
APPLICANT: Mr Denning
PROPOSAL: Change of use from A1 to temporary night shelter (sui generis) until end of March 2017
LOCATION: Former Richards Aquatics, Market Street, Exeter, EX1 1BW
REGISTRATION DATE: 04/11/2016
EXPIRY DATE: 30/12/2016

HISTORY OF SITE

16/0867/03 - Change of use from A1 shop to D2 WRT 02/09/2016
Gymnasium/Fitness centre

DESCRIPTION OF SITE/PROPOSAL

The application is for consent for a temporary change of use of the former Richard's Aquatic premises as a temporary night hostel for rough sleepers throughout December 2016 through to the end of March 2017. The consent is proposed for this period although it is likely that only 12 weeks would be required.

The unit in question is currently vacant although it has an existing A1 use. The applicant wishes to retain this A1 use to use the premises as a bicycle workshop and sales space as part of an outreach programme. The application seeks an additional 'Sui Generis' use in order to deliver temporary hostel accommodation known as 'Safesleep' nightly from 8pm to 8am from December 2016. The applicant wishes to retain this use until the end of March 2017 in order to account for the coldest winter periods.

The proposal is to offer dormitory-style accommodation with camp-beds and bedding together with on-site catering, laundry, shower, washing and toilet facilities for approximately 30 people. There would be separate sleeping and washing spaces for males and females. Access into the premises would be from the Market Street frontage only and not the rear access.

The application site is located within the City Centre and the Central Conservation Area but is located outside of the Primary and Secondary Shopping Areas.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application has been accompanied by a Planning Statement to support the application. The statement includes information about the project and the mechanisms in place to ensure the hostel is run safely without disturbance to existing residents and businesses. This provided the following information:

- Exeter City Council has agreed that Julian House will operate as the delivery partner for 'safesleep' in 2016/2017. Safesleep will provide emergency accommodation and assistance to rough sleepers;
- The hostel would run nightly from 8pm to 8am;
- Safesleep will incorporate the provision of Severe Weather Emergency Protocol (SWEP) for the authority providing additional space during periods of severe weather when people on the streets of Exeter are most at risk. The timings of this will depend on episodes of severe weather and has the potential to operate until the end of March 2017;
- The aim of safesleep and SWEP is to prevent loss of life and to reduce rough sleeping to as near zero in the city as possible;
- There will be on-site catering, laundry, shower, washing and toilet facilities on site;
- The accommodation will be accessible to those who may have a disability or mobility issues;

- Access to safesleep will be from Market Street only, avoiding George Street to the rear;
- A safe and secure environment will be provided by professional staff backed up by a comprehensive CCTV network;
- Occupants are expected to be in their accommodation by 11pm;
- The scheme is supported by staff with a close working relationship with the existing Homeless Outreach team and a close working relationship with the police;
- It is expected that the operation of safesleep will positively contribute to the wider safety of the City Centre.

Following objections to the proposal Julian House provided further additional information in support of the application:

- Julian House has been working with ECC to look at empty buildings throughout Exeter over the past few months and an alternative location was not found for safesleep;
- Many empty buildings have been explored over the past few months and they have spoken extensively with letting agents and landlords;
- Julian House runs a hostel in Bath which is in the same building as a number of community groups including Off the Record (Young Persons Advice Centre) and a variety of other groups including Ballet classes and children and toddler groups;
- Julian House works very closely with the local church at their Bath premises and responds very quickly to any concerns regarding their client group. They have a named worker to go to and access to managers via an on-call system;
- Julian House would have liked to work more closely with the local community had there been more time. The Market Street premises have only been considered for a few weeks;
- Safesleep will be used to take the majority of Exeter's rough sleeping population off the streets and to provide a safe place for them over the winter months. Safesleep is for rough sleepers not sex offenders;
- The City Centre Police Team are aware of safesleep, in 2015 safesleep took place within St Petrocks and Gabriel House and there was not an escalation in any anti-social behaviour or problems within the community;
- There are no plans to train staff in SIA (Security Industry Authority), because staff have extensive training beyond that offered to security guards. They are open to discussions with the local community about how to create a secure environment outside the market street premises. Julian House will be providing trained staff and CCTV internally as well as externally.

REPRESENTATIONS

This application has currently received 14 objections from local residents and businesses and users of the DanSci dance school. The consultation period closes on 1st December therefore this number is likely to increase between publication of this report and the committee meeting. The material planning objections raised include the following:

- Area already experiences issues of anti-social behaviour linked to drinking and drug taking and excess rubbish in the area;
- Existing noise disturbance issues;
- The existence of a homeless shelter would worsen current issues;
- Concerns regarding proximity to dance school with young users and subsequent safety concerns;
- Potential increase in theft;
- Potential for anti-social behaviour in the area;
- Should not be located so close to the high street;
- Will encourage more homeless people into the area.

A letter of support has been received from Exeter CVS who have made the following key comments:

- If application is refused Safe Sleep will not happen and the risk of people dying on the street is very real;
- There is no evidence to suggest that provision of this kind would attract any more rough sleepers to the city centre;

- Those that are not accommodated will not simply go away but will be left of the street, it is better for individuals (and the community) for them to be in a safe, warm, supervised space run by a professional organisation;

CONSULTATIONS

Devon and Cornwall Police - Designing Out Crime Officer: The officer who responded to this application has offered to meet with the applicant to discuss their advice in more detail. Their response outlined a number of management practices and advice on the internal layout of the premises. These proposed measures include use of a compulsory registration scheme (incorporating an acceptable behaviour agreement) supported by CCTV. The advice also goes on to discuss the layout of CCTV and natural surveillance, escape routes for staff, positioning of reception desks and layout of the toilet spaces. This advice has been forwarded directly to Julian House for their consideration.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework

Exeter Local Plan First Review 1995-2011

C1 - Conservation Areas;

OBSERVATIONS

The nature of this application means that there are few policies that are relevant to this case. A decision must therefore be made in accordance with material considerations and taking account of the positives and negatives of granting consent for this proposal. Whilst this application is for a change of use, the applicant only wishes to have a change of use during the winter evenings from December 2016-March 2017. The unit would be retained in A1 use outside of these timings. Therefore, the loss of a retail unit is not a material factor in this case.

Crime and fear of crime is a material planning consideration and it is acknowledged that residents and local businesses are apprehensive about such a facility operating in the area due to the existing issues with rough sleeping and anti-social behaviour in this part of the City. Devon and Cornwall Police in their consultation response have not objected to the proposed scheme and have offered to work with the applicants to advise with the set up of the facility to reduce the risks of crime and anti-social behaviour.

It is considered that the proposed change of use is acceptable as the use is on a temporary basis to accommodate rough sleepers throughout the coldest winter months. It is further considered that having a dedicated facility for rough sleepers where food and cleaning facilities are provided has the potential to improve the character of the area as for this temporary period homeless people will have a safe space in which to stay and would therefore not be on the streets.

The scheme would be managed and run by an existing organisation with staff and CCTV and strict curfews to ensure that there is no disturbance to nearby residents and businesses. A condition is recommended that restricts the consent to be used only by Julian House to ensure that the facility is run in accordance with the details outlined in the planning statement and to ensure that the facility is run by an experienced organisation.

It is considered that on balance the proposal is acceptable as the proposed temporary use would help to provide a safe sleeping space for some of the City's more vulnerable citizens and that robust measures are put in place to ensure that there would be no harm to the residential or business uses of the area.

RECOMMENDATION

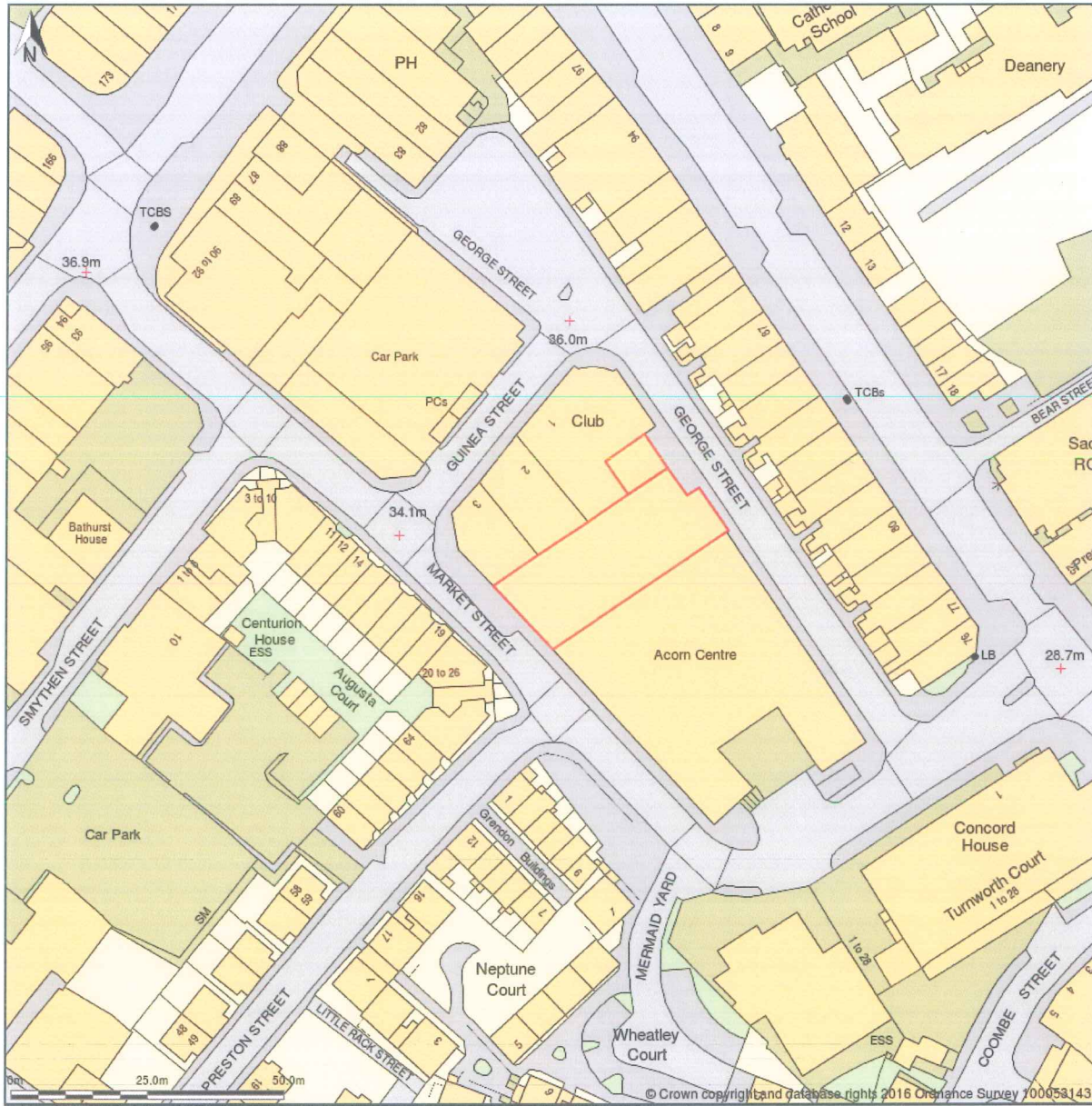
APPROVE subject to the following conditions:

- 1) 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 4 November 2016 (*Site Location Plan, Planning Statement, Floor Plan as Existing and Floor Plan as Proposed*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings and details.
- 2) The use hereby approved shall cease on or before 31 March 2017.
Reason: To ensure that the use ceases when no longer required as part of Safe Sleep.
- 3) The use hereby permitted shall be carried on only by the organisation Julian House and shall cease at such time as the aforementioned person(s) cease to occupy the site.
Reason: To enable the proposed use by the applicant to be monitored.

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

19 Market Street, Exeter, EX1 1BW



Site Plan shows area bounded by: 291830.89, 92320.13 292030.89, 92520.13 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Agenda Item 5

ITEM NO. 5

COMMITTEE DATE: 05/12/2016

APPLICATION NO: 16/0864/03 FULL PLANNING PERMISSION
APPLICANT: Enterprise Inns
PROPOSAL: Four new dwellings
LOCATION: Land to rear of Crawford Hotel, Alphington Road, Exeter,
EX2 8JD
REGISTRATION DATE: 11/07/2016
EXPIRY DATE: 05/09/2016

This is a copy of the report presented to the Planning Committee on 31 October 2016. At that meeting, Members deferred making a decision and requested that further work was carried out into seeking to provide the access to the proposed development from Retail Park Close rather than from Percy Road. The applicant has subsequently confirmed, through its agent, that it will not entertain an access from Percy Road and has requested that the application be determined as submitted. It is pointed out that the applicant intends to sell the land to a developer and that in future that developer may be interested in acquiring the additional land owned by Exeter City Council and submitting a revised application.

HISTORY OF SITE

15/0185/03 - Proposed development of four dwellings (three REF 14/07/2015
terrace units and one detached).
Appeal dismissed 04/02/16

DESCRIPTION OF SITE/PROPOSAL

This application seeks planning permission for four dwellings (three in a terrace and one detached) on land to the rear of the former Crawford Hotel, a locally listed building that has recently been converted to a retail unit on the ground floor and flats on the upper floors. The site is within Flood Zone 3 and therefore has a high probability of flooding. The site, a former beer garden, has been separated from the Crawford Hotel by a timber fence and largely consists of a small number of redundant outbuildings and overgrown grassed areas and brambles. On the north-east boundary of the site is a 2-3 metre high wall fronting Percy Road, a residential cul-de-sac consisting of terraced dwellings with on-street parking. To the south-east is Meridian House on Retail Park Close, an office block on the Marsh Barton Trading Estate. An existing pedestrian gateway leads from the site onto Retail Park Close. To the south-west are the rear elevations of terraced residential properties fronting Alphington Road.

An application for a similar scheme to this one was submitted to the Council in February 2015. It was presented to the Planning Committee on 29 June 2015 where it was resolved that planning permission would be refused. The decision was issued on 14 July 2015. Subsequently, the applicant appealed the decision and made an application for costs against the Council. The Planning Inspector both dismissed the appeal and did not make a costs award. This application seeks to address the Planning Inspector's findings, which now form a material consideration in assessing and determining this application. Further details are provided in the Observations section of this report.

SUPPORTING INFORMATION SUPPLIED BY APPLICANT

Flood Risk Assessment: the site is located in Flood Zone 3a. The site does not lie within 500m of any flood defences. Exeter's Flood Relief Channels lie within 800m and provides a level of defence against flooding. The last recorded incident of flooding in the area was in 1960, prior to the installation of the flood relief scheme. The National Planning Policy Framework states that minor developments should not be subject to the Sequential or

Exception Tests for flood risk; this would apply in this case. A SUDS scheme will be utilised to minimise surface water runoff. As a precautionary measure, flood resilient construction techniques are recommended to reduce the potential of flood water ingress and damage. Finished floor levels should be set at 7.45m AOD. Future occupants are recommended to sign up to the EAs Flood Warning Service.

Design and Access Statement: providing an assessment of the existing site and evolution of the proposed scheme.

Planning Statement: this document explains how this scheme responds to the findings of the Planning Inspector in the recent appeal. It also points out that the Council does not have a Five Year Supply and therefore that this application should be approved without delay unless the Council can demonstrate a significant adverse impact.

Transport Statement: demonstrating the connectivity of the site, range of facilities in the local vicinity and the sustainable location of the site.

Standard Commercial Drainage and Water Search: a detailed question and answer analysis is provided.

Ecological Appraisal: the site has historically been improved and managed. There are opportunities to provide wildlife / habitat protection by including two 'sparrow terraces' and a detailed landscape design for the communal area to enhance wildlife and plant species.

REPRESENTATIONS

6 objections have been received. The main points raised are:

- loss of on-street parking spaces in Percy Road
- the new access onto Percy Road will have poor visibility and will be dangerous
- Percy Road is already difficult for delivery vans and refuse collectors; this development will make matters worse

CONSULTATIONS

Environment Agency: The application should not be determined until the Local Planning Authority is content that both the flood risk sequential and exception tests, as set out in the National Planning Policy Framework, have been satisfied. However, the Agency confirms that the Flood Risk Assessment is acceptable and would meet the requirements of the second part of the Exception Test, to demonstrate that the development would be safe over the course of its lifetime.

Local Highway Authority, Devon County Council: The Authority did not object to the proposals previously and notes that the Inspector agreed with its view. The Authority again offers no objections to the scheme but recommends two conditions to ensure the properties are not occupied until the following have been provided - new access onto Percy Road, pedestrian/cycle connection to Retail Park Close, on site layout, footpaths, car and cycle parking facilities.

Environmental Health, Exeter City Council: Approve subject to conditions relating to noise and land contamination.

RSPB: Swift bricks should be installed in the building to provide "nesting opportunities and landscaping opportunities".

PLANNING POLICIES / POLICY GUIDANCE

National Planning Policy Framework

Core Planning Principles 3, 4, 5, 6, 8, 10 and 11
Sections 6, 7, 10 and 12

Local Development Framework Core Strategy

Objectives 1, 3, 5, 8 and 9

CP4 - Density

CP12 - Flood Risk

CP15 - Sustainable Construction

CP16 - Green Infrastructure

CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

H1 - Search Sequence

H2 - Location Priorities

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

C3 - Buildings of Local Importance

EN4 - Flood Risk

DG1 - Objectives of Urban Design

DG4 - Residential Layout and Amenity

Residential Design Supplementary Planning Document

OBSERVATIONS

Planning permission was refused on the previously submitted scheme (Ref. 15/0185/03) for two reasons relating to highway and design matters. There were no objections to the principle of residential development on this site and therefore it is considered that the Council regards the site as suitable for housing.

That said, the Environment Agency emphasises that in order to comply with the requirements of the National Planning Policy Framework (specifically paragraphs 101 and 102), the Council must be content that the sequential and exception tests have been met. In essence, the sequential test seeks to steer new development towards areas with the lowest probability of flooding. For the exception test to be passed, the wider sustainability benefits of the development must outweigh the flood risk and a Flood Risk Assessment needs to be submitted demonstrating that the development will be safe for its lifetime. In considering these tests, the Council would respond as follows. The site is located within an existing residential area and as such the provision of an additional residential development is acceptable in principle. The Exeter Local Plan, Exeter Core Strategy and the Publication Version of the Development Delivery Development Plan Document identify that sites within the urban area have the potential to meet the housing requirement in the City and therefore are appropriate. This site's location is close to existing shops and public transport routes and therefore offers a sustainable location for development. Overall, the Council is satisfied that the sustainability benefits of the development outweigh the flood risk. In addition, the Environment Agency has confirmed that the Flood Risk Assessment is acceptable and would provide a safe development, so long as the scheme is built in accordance with the Assessment. On this basis, the Council considers that the tests are satisfied.

In assessing this application, the main focus has to be on the three matters that prevented the scheme from obtaining permission in 2015. One of these can be set aside straightforwardly. At the time that the planning application was being considered by the Council, the Government had, through a Written Ministerial Statement on 28 November 2014, introduced a national threshold of more than 10 dwellings for affordable housing contributions. However, on 31 July 2015, the High Court judged that this action was unlawful and therefore by the time of the appeal, the Council's threshold of 3 applied, as set out in

Policy CP7 of the Core Strategy. Because no completed and executed Planning Obligation making provision for affordable housing was provided, the Inspector dismissed the appeal partly on these grounds. In May 2016, the Court of Appeal allowed an appeal by the Government, which effectively reinstated the aforementioned national threshold. Consequently, the applicant is no longer required to provide affordable housing on this site.

The Council's main concern previously related to highway matters. In particular, the Planning Committee considered that the proposed access onto Percy Road would have a detrimental impact on the amenity of neighbouring residents, the character and quality of the local environment and the safety of local roads. In coming to this conclusion, the Committee came to a judgement based on a range of material considerations including the views expressed by objectors, the potential availability of an alternative access onto Retail Park Close and the absence of any objection from the Local Highway Authority at Devon County Council. The alternative access onto Retail Park Close was explored with the applicant but ultimately did not progress. The Local Highway Authority advised that Retail Park Close would provide a better access for construction traffic but was not as suitable as a permanent residential access.

In considering these issues at appeal, the Inspector did not agree with the Council's conclusions. He said:-

"In my experience the presence of parked cars and the resulting narrowing of the carriageway is nevertheless likely to reduce vehicle speeds, as drivers exercise a cautious approach to encountering oncoming vehicles or pedestrians emerging from or between vehicles."

"I saw nothing inherent in the width and alignment of Percy Road, or that of adjacent streets and road junctions, to suggest that they are unsuitable to serve the limited number of dwellings proposed without causing an unacceptable risk to highway safety."

"The reduction in on-street parking capacity that would occur as a result of the access would be minimal."

"I have also taken the lack of any objection to the proposed development from the Highway Authority into consideration."

"Overall I find that the proposed development would not be harmful to highway safety conditions on Percy Road and surrounding streets and it would therefore accord with saved ELP Policy DG1, which at (a) also requires development to connect effectively with existing routes and spaces. It would be consistent with paragraph 32 of the Framework, which seeks to achieve safe and suitable access, only preventing development on transport grounds where the residual cumulative impacts are severe."

The Inspector's findings are a significant new material consideration in assessing this application. Given his considerable disagreement with the Council's position, and the continued lack of any objection from the Local Highway Authority, it would seem difficult for the Council to continue to pursue its previous objection to the scheme. Furthermore, there is an increased chance of costs being awarded against the Council if another appeal were to follow the determination of this application on similar grounds.

The Council refused planning permission previously on one further ground. This related to the proposed design of the buildings. The key points were that the use of painted render was not considered to be a high quality material finish and that the window fenestration was discordant. The Council concluded that the design did not promote local distinctiveness or contribute positively to the visual richness and amenity of the area. The Inspector who considered the previous appeal agreed with the Council's view on these matters to a certain extent and cited it as a reason for dismissing the appeal. Nonetheless, his emphases were slightly different. For example, he noted that, the Crawford Hotel aside, brick is the

predominant building material of the surrounding area. However, he only objected to "the extensive use of render", which, in his view, "would have the effect that the proposed dwellings would appear rather alien in their surroundings and would not integrate successfully with the pattern of local development". The applicant has observed that the Inspector did not object to the use of render in principle, only to its "extensive" use. Consequently, in response to this, the scheme has been amended so that the proposed dwellings would now be half rendered and half brick. This is described in the applicant's Planning Statement as "a progression of the architectural styles of the terraces in the area". Given the comments made by the Inspector, it would be difficult for the Council to object to this revision.

In respect of the elevational design, the Council's main objections were two-fold. The windows on the rear of the detached dwelling were considered to be unacceptable because they were different sizes creating a discordant elevation that lacked any visual rhythm or harmony. In respect of the front elevation of the terrace, the main concern was that some windows were disproportionately small to the elevation. It was also noted that there were different cill heights on both floors. The Inspector agreed with these findings. He said:-

"The window treatments to the north-east elevation of the terrace and the south-east elevation of the detached dwelling utilise a number of small windows with differing cill heights. As well as these windows appearing quite diminutive in comparison with the overall scale of the buildings, it would give a somewhat 'busy' appearance to the elevation. This is entirely at odds with the sense of balance and restraint apparent in the design of the adjoining terraces and in my view, it would be harmful to the character and appearance of the area."

In response to these comments, the elevational treatment of the dwellings has been altered. The rear of the detached dwelling now has just two different sizes of windows that are arranged symmetrically to provide visual rhythm. The size of windows on the front elevation of the terrace have also either been widened or lengthened to create a better balance between solid and void. It remains the case that there would be some difference in cill heights. However, the addition of brick on the elevation would help to make this less striking and therefore it is considered to be acceptable.

In terms of residential amenities, the applicant's agent notes that the garden to Plot No. 3 would be overlooked by Meridian House. The Design and Access Statement proposes some tree planting to try to address this matter. As a result, the Council did not object to this previously. There were also no objections cited to the relationship between the rear of the proposed terrace and the rear of properties in Alphington Road where the distances between properties were considered to be within acceptable limits.

No concerns were raised previously about the scheme's impact on the setting of the Crawford Hotel, a locally listed building.

Policy CP16 of the Core Strategy requires that an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. The City Council's submitted Core Strategy Habitats Regulation Assessment, which is in effect a City wide appropriate assessment, has concluded that additional housing will result in extra recreational impact on the Exe Estuary, Dawlish Warren and Pebblebed Heaths which are all designated European sites. The Council intends to mitigate the impacts of additional housing using money it collects from its Community Infrastructure Levy (CIL), which was adopted in December 2013 and is chargeable on all residential developments. This scheme would be liable for CIL payments should permission be granted and works commence.

The Planning Statement that has been submitted with this application draws attention to the Planning Inspectorate's conclusion, on an appeal by Waddeton Park Ltd for a site north of

Exeter Road (Refs. 14/2066/01 and APP/Y1110/W/15/3005030), that the Council does not have a five year housing supply. It seeks to argue that the lack of a five year supply means that this application should be approved without delay. This refers to Paragraph 14 of the National Planning Policy Framework, which sets out how decisions should be made including in circumstances where the development plan is absent, silent or relevant policies are out of date. When the latter applies, which would be the case where there is no five year housing supply, permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits." It is certainly the case that a housing shortfall weighs in favour of housing proposals. However, the scale of the development, and the contribution it makes to addressing a housing shortfall, is also important. This was underlined by the Inspector in granting consent at Exeter Road and is also clearly stated in the previous appeal decision on this site. Writing before the Exeter Road appeal, the Inspector said that even if the lack of a 5 year supply applied, "the development is of relatively modest scale. When assessed against the Framework as a whole, any economic or social benefits offered by increasing the supply of new housing to the limited extent represented by the proposal, would be significantly and demonstrably outweighed by the adverse environmental and social impacts identified in the main issues. Therefore, whether the Council has a five-year land supply would not affect my findings in that respect." In other words, the five year supply argument weighs more favourably on larger scale schemes where a significant contribution to the housing shortfall can be provided.

In conclusion, taking into account the findings of the Planning Inspector on the previous appeal and the amendments that have been made to the proposal, it is considered that the scheme is now acceptable. Therefore, it is recommended that planning permission be granted.

DELEGATION BRIEFING - 27 SEPTEMBER 2016

The Case Officer advised that as the Inspector had dismissed the concerns of the Planning Committee on highway matters and as the Government had subsequently formally changed the regulations on the threshold for affordable housing contributions, it effectively left only design issues as the remaining consideration. The Case Officer considered that sufficient amendments had been made to the design to meet the concerns set out by the Inspector. It was reported that 5 objections had been received re-iterating the highway concerns. However, the Local Highway Authority once again did not object to the scheme.

Members noted the position but considered that the application should go before the Planning Committee.

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 11 July 2016 (dwg. nos. 0-0002 Revision A and 1-0003 Revision B, and Design and Access Statement) and 10 October 2016 (dwg. no. 0-0001 Rev. A), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved details.
- 3) C17 - Submission of Materials
- 4) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes Level 5 (Zero Carbon) in accordance with the requirements of the Code for Sustainable Homes 2006, the Code for Sustainable Homes Technical Guide November 2010 and the Code Addendum May 2014 (or such equivalent standard

that maybe approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15.

Reason: In the interests of sustainable development.

- 5) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority a Design Stage Code for Sustainable Homes (CSH) assessment including the score expected to be achieved and which standard this relates to. Where this does not meet the minimum required standard in relation to the energy elements the developer must provide details of what changes will be made to the development to achieve the minimum standard in respect of those elements of the code, and thereafter implement those changes. Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until an application for a Final Code Certificate has been made seeking certification that the required Code Level has been achieved and within one year of occupation of any dwelling the developer shall submit to the Local Planning Authority a Final Code Certificate to demonstrate that a Final Code Level of 4 in respect of the energy elements has been achieved as required above.
Reason: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.
- 6) Unless otherwise agreed with the Local Planning Authority, the development shall be carried out in line with the recommendations contained in submitted Ecological Appraisal and the Flood Risk Assessment.
Reason: To ensure that opportunities for wildlife enhancements are maximised and in the interests of minimising flood risk over the lifetime of the development.
- 7) 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: In the interests of amenity.
- 8) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: In the interests of amenity.
- 9) 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: To protect neighbouring residential amenities.
- 10) The applicant shall undertake a noise assessment to determine whether noise from plant, equipment and deliveries at the adjacent retail store would be likely to cause disturbance and annoyance to residents of this site. The assessment shall be submitted for approval in writing by the Local Planning Authority prior to commencement of the development. If, following the above assessment, the Local Planning Authority concludes that noise mitigation measures are required, the applicant shall then submit a scheme for protecting the proposed development from noise from the adjacent store. This shall be based on the results of the above assessment and shall be submitted to and approved by the Local Planning Authority

before development commences. All works that form part of the scheme shall be completed before any of the approved development is occupied.

Reason: To protect the residential amenities of future occupants of the dwellings.

- 11) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason: To protect the health and safety of future occupants of the dwellings.

- 12) No part of the development hereby approved shall be occupied until the amendments to Percy Road boundary wall, dropped kerb vehicular access, on site layout, footpaths, car and cycle parking facilities, as outlined in Drawing 1-0003 Revision B, have been provided and retained for that purpose at all times.

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

- 13) No more than three of the dwellings hereby approved shall be occupied until a shared use pedestrian/cycle connection to the eastern boundary of the site with Retail Park Close, as indicated on drawing 1-0003 Revision B, has been provided and made available for public use in accordance with details to be approved by the Local Planning Authority and maintained for this purpose at all times.

Reason: To provide adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the National Planning Policy Framework.

- 14) The development shall incorporate into the fabric of the buildings nesting opportunities for swifts. Details of how this shall be achieved must be submitted to, and approved by, the Local Planning Authority. The development shall thereafter be built in accordance with these approved details.

Reason: In the interests of providing biodiversity enhancements on the site.

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

Background papers used in compiling the report:

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

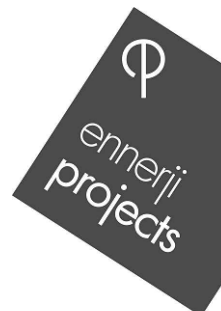


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LAND TO THE REAR OF THE CRAWFORD HOTEL

JLL

LOCATION PLAN



PROJECT NO.

14-018

DRAWING NO.

1-0001

REVISION

-

SCALE

1:1250 @ A4

DATE

29/01/2015

STATUS

PLANNING

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Agenda Item 6

ITEM NO. 6**COMMITTEE DATE:** 05/12/2016

APPLICATION NO: 16/1068/03 FULL PLANNING PERMISSION
APPLICANT: Mr Kightley
The Charlie Edward Property Company LTD
PROPOSAL: Construction of a 6 bed annex to the existing Hope Court
Student Accommodation block
LOCATION: Hope Court, Prince Of Wales Road, Exeter, EX4 4PN
REGISTRATION DATE: 26/08/2016
EXPIRY DATE: 29/10/2016

HISTORY OF SITE

85/01041/03 -	Garage extension	PER	09/09/1985
80/0874/03 -	Double garage	PER	18/08/1980
77/0111/02 -	House and garage	PER	07/03/1977
75/0133/01 -	Erection of detached dwelling	PER	24/03/1975
06/1790/03 -	Redevelopment to provide 14 student flats, bicycle store, refuse area and associated works	WDN	06/11/2006
06/2026/14 -	Demolition of dwelling	REF	26/01/2007
06/2276/03 -	Redevelopment to provide 12 student flats, bicycle store, refuse area and associated works	REF	26/01/2007
07/0463/03 -	Redevelopment to provide 12 student flats, bicycle store, refuse area, parking and associated works	PER	03/05/2007
07/0464/14 -	Demolition of dwelling	PER	03/05/2007
08/0622/03 -	Ancillary site maintenance/management office (18 sq. m.) on west boundary	PER	04/06/2008
09/0263/03 -	Ancillary site maintenance/management office and bike shelter on west boundary	PER	27/04/2009
09/1197/03 -	Ancillary site maintenance/management office for overnight accommodation for support warden/nurse and bike shelter on west boundary	PER	14/09/2009

DESCRIPTION OF SITE/PROPOSAL

Hope Court is a student cluster flat development located on the junction of Prince of Wales Road and Pennsylvania Road located within close walking distance of the Exeter University Campus. The site for the proposed development is an area of raised grassland within the grounds of Hope Court. The site is bounded by roads on three sides (Lower St Germans Road to the south, Pennsylvania Road to the east and Prince of Wales Road to the north). The nearest residential dwelling is Glenhayes which marks the sites western border. At present there is a two storey building with accommodation in the roof and one single storey building on site with recycling and refuse bins and a secure cycle store. The proposed new building would be located in the south western corner of the site.

The application site is located within the Longbrook Conservation Area and approximately 28 metres to the rear of 5 Grade II* Listed Buildings on Pennsylvania Crescent. The existing Hope Court is an attractive modern design. The proposal intends to replicate this pattern and style of development in the new build.

The development subject to this application is the construction of a 6 bed cluster flat. The proposed accommodation would be set over two storeys and would be finished in white render with a single ply membrane sloping roof in grey. The boundary walls would be retained but the hedge which currently fronts Lower St Germans Road would need to be removed to ensure adequate light enters the rooms. Internally the building would provide 6

bedrooms each with its own bathroom pod. Each room is at least 12sqm. The 6 rooms would share a lounge/kitchen area measuring 29sqm.

The building would be constructed 2.1 metres from the boundary with Glenhayes. There would be no windows in the elevation facing Glenhayes. The maximum height would be 6 metres.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

This application has been accompanied by plans and elevations and a design and access statement.

REPRESENTATIONS

Two objections have been received from local residents. The reasons that are material to planning are as follows:

- This residential area has already been extensively given over to student accommodation;
- The courtyard is already used by students which results in late night drinking, shouting, swearing and playing of ball games which causes noise disturbance;
- Permission should never have been granted for the original development as the design is out of character for the area;
- The proposed development is out of character with the Conservation Area and not appropriate for the residential location;
- The development would have an impact on the Grade II* Listed Buildings;
- New dwelling would lead to further loss of privacy in rear garden;
- Further light pollution;
- High levels of litter associated with students;
- Lack of parking availability for local people.

Neighbours were re-consulted following the revised description and amended plans. One neighbour confirmed that their original objections still stand and also objected to the removal of the hedge.

CONSULTATIONS

Exeter St James Forum - The Forum have identified the relevant policies in the Exeter St James Neighbourhood Plan as EN4 (Gardens), D1 (Design), C3 (Small Scale Student Accommodation) and H1 (Heritage). The Forum concluded that EN4 is not relevant in this case as the space subject to this application does not contribute to ecological value.

Policy C3 relates to small scale student accommodation and accepts the principle of some small scale development. Any further student development will further increase the imbalance of the community. However, it is noted that this proposal is in the grounds of an existing student accommodation development. The site is on Pennsylvania Road which, together with its continuation as Longbrook Street, has a high concentration of student accommodation and it is close to the University. Although the further imbalance in the community would be created by this development is regretted, the special circumstances of the site location means that in this instance it would be inappropriate to object to the grounds of Policy C3.

The Forum also raised concerns regarding the description of the development as an HMO. The description was subsequently amended to take account of this.

Policies D1 and H1 require high standards of contextual design. The site is in the Longbrook Conservation Area and is in an attractive and characterful location comprised of villas, rear lodge houses and more recent development. Lower St Germans Road is leafy and attractive,

and its character enhanced by the stone wall and established hedge to the rear of Glenhayes and Hope Court.

The design is simple and utilitarian in form. It results in the removal of a substantial proportion of wall and hedge and has an impact on the character of Lower St Germans Road. It has a simple shallow sloping roof form which bears little relationship to the form of buildings and roof lines around it. Although the materials proposed reflect the contemporary buildings of Hope Court, they lack character when viewed against the rear lodge buildings of nearby properties. The design does little to achieve one of the central aims of policies H1 and D1 which is to lift the design quality in St James.

Contemporary design does not mean that the development need not be characterful. This scheme misses the opportunity to make a modest and important enhancement to the character of St James and the Longbrook Conservation Area. Its design quality does not compensate for the loss and diminution of the character of Lower St Germans Road caused by the loss of the established hedge, neither is it clear how it responds to the design and heritage policies in this particular context.

Environmental Health - Recommends a condition to restrict construction and demolition hours.

DCC Highways - Refers to standing advice.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework 2012:

- 7. Requiring good design
- 12. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy

- CP5 – Student Accommodation
- CP17 – Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

- AP1 – Design and Location of Development
- AP2 – Sequential Approach
- C1 – Conservation Areas
- H1 – Housing land search sequence
- H2 – Location Priorities
- H5 – Diversity of Housing

Relevant text – Student housing will be permitted provided that:

- a) The scale and intensity of 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;*
- b) The proposal will not create an overconcentration 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;*
- d) Student accommodation is located so as to limit the need to travel to the campus by car.*

- T3 – Encouraging use of sustainable modes of transport
- DG1 - Objectives of Urban Design
- DG7 – Crime prevention and safety

Exeter St James Neighbourhood Plan (March 2013)

D1- Good quality design

C3 - Small scale purpose built accommodation

H1 - Heritage

Exeter City Council Development Delivery DPD (Publication Version)

DD1 – Sustainable Development

DD12 – Purpose Built Student Accommodation

This policy seeks to protect residential amenity and to ensure that purpose built student accommodation is fit for purpose;

Purpose built student accommodation will be permitted provided the proposal:

- a) Respects, and contributes positively towards, the character and appearance of the area;*
- b) Does not result in unacceptable harm to the amenity of the neighbouring residents;*
- c) Provides sufficient internal and external space for future occupiers;*
- d) Makes appropriate provision for refuse storage, operational and disabled persons parking, servicing and cycle parking;*
- e) Reduces the need to travel and would not cause unacceptable transport impacts; and,*
- f) Is accompanied by a suitable Management Plan secured by planning obligation to demonstrate how the property will be managed in the long term.*

DD13 – Residential Amenity

DD21 - Parking

DD25 - Design Principles

DD26 - Designing out Crime

DD28 - Heritage Assets

OBSERVATIONS

The proposed development would provide accommodation for 6 further students within a site already used for these purposes. The current site already has 13 cluster flats. The site is located in close proximity to the University and as such is a sustainable location for students. The Exeter Core Strategy recognises the importance of purpose-built accommodation and has indicated that this should be located on or close to the University Campuses at sustainable locations at or near to major transport routes, or in the City Centre. The proposed accommodation block is of a high quality design and complements the existing buildings on site. The positioning of the building is such so as not to have a detrimental impact on the neighbouring property at Glenhayes and the windows are arranged in such a way so as not to result in a loss of privacy for the existing students.

Whilst it is acknowledged that this development would result in a further concentration of student accommodation in this area, it is considered that this is a unique case in that the proposal is for a small extension to an existing purpose-built student facility with excellent links to the main University Campus. The proposed development would allow a further 6 students to be accommodated within the existing Student Development. Purpose-built accommodation such as Hope Court helps to ease the pressure on the market housing stock.

In terms of heritage, the proposal site is located within the Longbrook Conservation Area and to the rear of the Grade II* Listed properties located on Pennsylvania Crescent. It is considered that the proposed student development is located a sufficient distance from the Listed Buildings so as not to be detrimental to the setting of the listed buildings. Whilst the loss of the hedge is regrettable, the low level brick wall be retained. It is considered that loss of the hedge alone is not a sufficient reason to warrant a refusal of planning consent. Removal of this section of hedge and windows fronting on to Lower St Germans Road would also help to improve natural surveillance of the road. The original Hope Court development

was considered suitable for the Longbrook Conservation Area and as such the new block (which is similar in terms of its architectural design and pallet of materials) is also considered an appropriate design. In accordance with the NPPF (Section 12, Conserving and Enhancing the Historic Environment) it is considered that the proposed development would not cause harm to designated heritage assets.

The Exeter St James's Forum is now a statutory consultee. The agent has held pre-application discussions with the Forum and have taken on board some of their comments in relation to the design of the new building. This included submitting revised plans to 'round-off' the corner of the building adjacent to the gate facing Lower St Germans Road, to reflect the design of the existing two storey elements of the main block. The Forum also made comment regarding the materials and roofline of the new building saying that it bears little relationship to the form of buildings and roof lines around it. This view is not shared by the planning authority as it is considered that the building material and style relates well to the existing buildings on the Hope Court site.

It will be secured by planning condition that the new development would be run purely as ancillary to the existing Hope Court not to be used as a separate dwelling and will be subject to the same management tools and conditions as the existing Hope Court student accommodation. The development will continue to be car free.

It is considered that on balance the scheme for additional student accommodation in this location is acceptable.

RECOMMENDATION

APPROVE subject to the following conditions.

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 26 August 2016 and the revised plans received on 01 November 2016 (*dwg. no(s).2022/16/001, 2022/16/010 Rev D, 2022/16/011 Rev D, 2022/16/002*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved details and drawings.
- 3) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the student residential use of the dwelling known as Hope Court and shall not be run as a separate facility.
Reason: To prevent the creation of an additional separate dwelling and to ensure that the new accommodation is run in accordance with the existing conditions and management plan for Hope Court.
- 4) C75 - Construction/demolition hours

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

Background papers used in compiling the report:

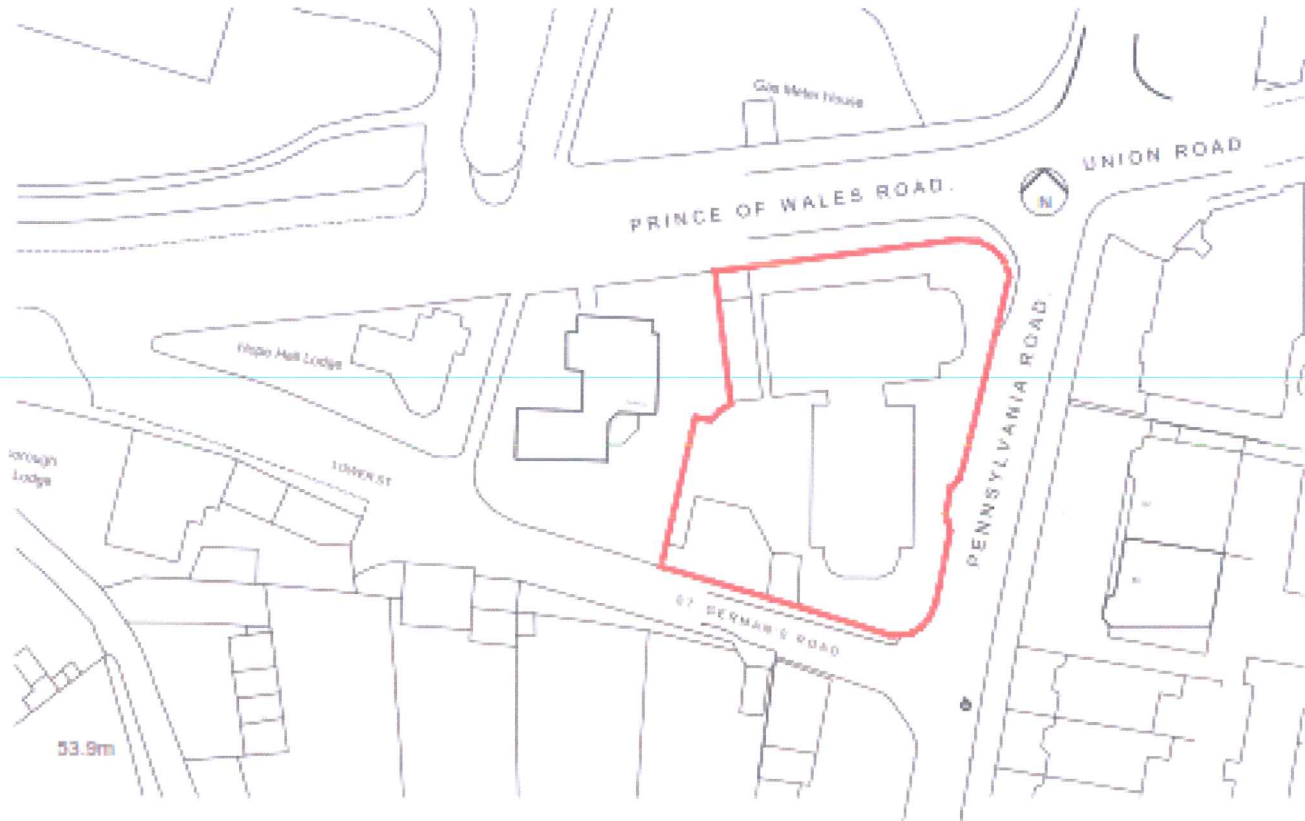
Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

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16/1068/03

Note:

ALL DIMENSIONS TO BE CHECKED ON SITE & ANY DISCREPANCIES TO BE NOTIFIED PRIOR TO COMMENCEMENT OF WORK.



Existing Location Plan
Scale 1:1250

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REPORT TO: PLANNING COMMITTEE
Date of Meeting: 5 DECEMBER 2016
Report of: Assistant Director City Development
Title: Delegated Decisions

1 WHAT IS THE REPORT ABOUT

- 1.1 This report lists planning applications determined 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.

2 RECOMMENDATION

- 2.1 Members are requested to advise the Assistant City Development Manager Planning (Roger Clotworthy) or City Development Manager (Andy Robbins) of any questions on the schedule prior to the meeting of the Planning Committee.
- 2.2 Members note the report.

3 PLANNING APPLICATION CODES

- 3.1 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
- 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
- 37 Non Material Amendment
- 38 Extension to Extant Planning Consent
- 39 Extension - Prior Approval
- 40 Office to Dwelling - Prior Approval

- 3.2 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

RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT

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Application Number:	16/1396/06	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	11/11/2016 DEL
Location:	87 Polsloe Road, Exeter, EX1 2HW		
Proposal:	T1 - Eucalyptus - Reduce height by 6m and reshape side growth; T2 - Bay - Reduce height by 50%; T3 - Ash - Remove low primary branch (north-facing and overhanging lawn) and remove second order branch (touching Mulberry); T4 - Mulberry - Reduce height by 0.6m and lightly reshape side growth.		
Application Number:	16/0965/07	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	14/10/2016 DEL
Location:	20 Magdalen Road, Exeter, EX2 4TD		
Proposal:	Alterations to frontage of listed building comprising construction of store for refuse and bicycles, resurfacing of front garden area, installation of balustrade, changes to landscaping and replacement of coping stones with granite blocks		
Application Number:	16/1439/04	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	23/11/2016 DEL
Location:	Glencoe, Lyndhurst Road, Exeter, EX2 4PA		
Proposal:	Works to 2x Holm Oaks, 1 Beach Tree and 6x Western Red Cedars		
Application Number:	16/1274/40	Delegation Briefing:	
Decision Type	Prior Approval Not Required	Decision Date:	18/11/2016 DEL
Location:	15-17 Heavitree Road, Exeter, EX1 2LD		
Proposal:	Prior notification of change of use from B1 to C3.		
Application Number:	16/0894/03	Delegation Briefing:	16/08/2016 0
Decision Type	Permitted	Decision Date:	21/10/2016 DEL
Location:	9 Verney Street, Exeter		
Proposal:	Change of use from mixed use to sui generis (student studios). Partial demolition, alterations and extensions with associated works.		
Application Number:	16/0949/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	21/10/2016 COM
Location:	79 Heavitree Road, Exeter, EX1 2HZ		
Proposal:	Part demolition (rear wing only), alteration and extension of existing building for use as 81 bedroom student housing accommodation (sui generis) with associated external cycle store and landscaping works.		

Application Number:	16/0113/03	Delegation Briefing:	09/02/2016	0
Decision Type	Permitted	Decision Date:	14/10/2016	COM
Location:	Radmore & Tucker, Frog Street, Exeter, EX1 1BR			
Proposal:	Demolition of the existing building and erection of a new building for student accommodation comprising 98 units, cycle parking, works of hard and soft landscaping and other works incidental to the proposals			
Application Number:	16/1165/05	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	07/11/2016	DEL
Location:	74 Queen Street, Exeter, EX4 3RX			
Proposal:	3no. sets of halo illuminated 'Five Guys' lettering, 1no. externally illuminated hanging sign, 1no. halo illuminated fascia sign and 1no. neon 'milkshakes' sign behind glazing.			
Application Number:	16/1261/05	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	07/11/2016	DEL
Location:	Headweir Mill House, Bonhay Road, Exeter, EX4 3AB			
Proposal:	2 Non illuminated wall mounted car park signs; 1 externally illuminated engraved slate sign inset into existing stone frame and 1 externally illuminated projection sign & post			
Application Number:	16/1211/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	03/11/2016	DEL
Location:	Next, 1 Eastgate, Exeter, EX1 1GB			
Proposal:	Replacement of manual swing doors with automatic sliding doors at existing customer entrances.			
Application Number:	16/1026/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	07/11/2016	DEL
Location:	74 Queen Street, Exeter, EX4 3RX			
Proposal:	Internal restaurant fit out works and installation of extraction/ventilation plant within courtyard			
Application Number:	16/1027/07	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	07/11/2016	DEL
Location:	74 Queen Street, Exeter, EX4 3RX			
Proposal:	Internal restaurant fit out works and installation of extraction/ventilation plant within courtyard			

REPORT TO: PLANNING COMMITTEE

Date of Meeting: 5 DECEMBER 2016

Report of: Assistant Director City Development

Title: Appeals Report

Is this a Key Decision?

No

Is this an Executive or Council Function?

No

1. What is the report about?

- 1.1 The report provides Members with information on latest decisions received and new appeals since the last report.

2. Recommendation:

- 2.1 Members are asked to note the report.

3 Summary of Decisions received:

- 3.1 One new appeal has been received and allowed.
Application ref: 16/0656/03 39 Beacon Heath

The application was reported to the Planning Committee on 25 July 2016 with a recommendation for approval.

The proposed development sought to construct a modestly sized UPVC framed lean-to conservatory to the front elevation of the property – the applicant did not want to reposition to the rear as the front elevation is south facing and exposure to natural light/heat was fundamental to the project.

The Inspector considered that the main issue with the proposal was its effect upon the character and appearance of the street scene. Although not evident immediately alongside the application site, the Inspector recognised the existing diversity of frontage projections in Beacon Heath, be they porches, conservatories or living room extensions. The proposed conservatory was considered to be very much consistent with the positioning, massing and materials (character and appearance) of these existing frontage projections and therefore consistent with Policy DG1. "I find that the proposal would have no harmful effect on the character and appearance of the street scene so that it should be permitted."

4. New Appeals:

- 4.1 No new appeal has been received.

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 are available for inspection from: City Development, Civic Centre, Paris Street, Exeter

Contact for enquiries
Democratic Services (Committees)
Room 2.3
01392 265275

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