

PLANNING

Date: Monday 4 September 2017

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

To sign the minutes of the meeting held on 24 April, 22 May and 26 June 2017.

3 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.

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.

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).

5 Planning Application No. 17/0440/02 - Phase 2, Land north, west and south of Met Office, Hill Barton Road

To consider the report of the City Development Manager. (Pages 5 - 18)

6 Planning Application No.17/0946/03 - The Quay Bridge, Exeter Flood Defence Scheme

To consider the report of the City Development Manager. (Pages 19 - 28)

7 List of Decisions Made and Withdrawn Applications

To consider the report of the City Development Manager. (Pages 29 - 54)

8 Appeals Report

To consider the report of the City Development Manager. (Pages 55 - 56)

9 SITE INSPECTION PARTY

To advise that the next Site Inspection Party will be held on Tuesday 19 September 2017 at 9.30 a.m. The Councillors attending will be Prowse, Morse and Gottschalk.

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 2 October 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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ITEM NO.

COMMITTEE DATE:

24/07/2017

APPLICATION NO:

17/0440/02

APPROVAL OF RESERVED MATTERS

APPLICANT:

Mr A West

Persimmon Homes (SW) Ltd

PROPOSAL:

Reserved matters application for construction of 116 dwellings and associated works (Phase 2 development area).

LOCATION:

Phase two, Land to north, west & south of Met Office off, Hill Barton Road, Exeter, EX2

REGISTRATION DATE:

10/03/2017

EXPIRY DATE:

09/06/2017

HISTORY OF SITE

UPDATE (the original Committee report follows this update section)

Consideration of this application was deferred from the Planning Committee on the 24 July 2017 in order that Members could be provided with clarity regarding the context of the wider access strategy for the Monkerton/Hill Barton Area and how it relates to this application. Consequently a report is being prepared for Members consideration at the Planning Member Working Group on the 29 August 2017.

Since the last Committee the applicant has submitted a draft Unilateral Undertaking (S106 Agreement) which provides for a financial contribution related to the provision of a road connection to the boundary of the site with associated bus gate, barrier or other form of traffic control; and 3 options for the road layout/connection each of which Permission will consent to being constructed on their land depending on the final preferred option chosen by the City Council (in consultation with Devon County Council). None of these options affect the trigger points for the provision of a second access point to the Hill Barton development as set out in the original consent, and hence the wider access strategy.

DCC as Highway Authority remain of the view that the reserved matter proposals for the second phase of the development comprised in this application, with a bus only vehicle link to the south controlled by appropriate signage and traffic orders, is acceptable.

The proposed Unilateral Undertaking preserves the possibility of alternative access arrangements should these be ultimately considered more desirable. In this context, subject to completion of an appropriate Unilateral Undertaking the recommendation remains one of approval as set out at the end of this report.

HISTORY OF SITE

14/2062/02 -	Reserved matters application for construction of 148 dwellings and associated works. (Phase 1 development area).	PER	07/12/2015
14/2063/32 -	Details for Phase 1 of the development pursuant to Condition 4 (framework plan and statement on appearance palette) of applications 12/0472/01 and 14/0832/03.	PER	02/04/2015
14/4806/03 -	Construction of a new roundabout access junction from Hill Barton Road and associated landscaping and infrastructure works.	PER	03/03/2015
15/1158/03 -	Deletion of condition 23. Amendment of condition 4 to remove reference to the signal controlled	WDN	09/03/2016

	access onto Hill Barton Road and instead refer to the approved roundabout access approved by planning permission ref 14/4806/03. Amendment of condition 25 revising the delivery schedule and completion of approved works in accordance with the limit shown on plan ref 1001 rev A		
16/0574/02 -	Reserved matters application for a re-plan of part of Phase 1 comprising the construction of 140 dwellings and associated works.	PER	02/12/2016

Although not relating directly to the application site the following applications which relate to land bordering the site to the south are considered relevant to the assessment of this application –

11/1619/01 - Outline planning permission to erect a mixed use development comprising B1, B8, D1, D2, C1, A1, A3, A4 and A5 uses (means of access to be determined only). Land south of Met Office Fitzroy Road. Approved 19/06/2012.
 12/0954/02 - Hotel and restaurant (Approval of reserved matters following outline approval 11/1619/01 granted 19 June 2012). Land south of Met Office Fitzroy Road. Approved 17/12/2012.
 13/5128/03 - Removal of condition 29 requiring a vehicular connection to the northern boundary of the site prior to the occupation of any retail unit (Ref. No. 11/1619/01 granted 19/06/2012). Approved 24/03/2015.

DESCRIPTION OF SITE/PROPOSAL

The application site comprises part of the land covered by the outline planning consent ref 12/0472/01 (as modified by 14/0832/03). It constitutes the 2nd Phase of the development comprised in the aforementioned applications. The site is bounded to the north by the recently constructed housing comprising Phase 1 of the wider development and the combined foot/cycle from Hill Barton Road to Fitzroy Road that runs between the site and the Met Office car park. To the south the site is bounded by the railway line to Exmouth and the consented commercial development at 'Moor Exchange'.

The application comprises a 'reserved matters' proposal for 115 dwellings with associated roads, parking provision and open space. Access to the site would be obtained via the internal estate road constructed in Phase 1 which links to Hill Barton Road via the recently constructed roundabout. The development comprises a mix of 1, 2, 3 and 4 bed houses/ apartments served by a combination of on-plot, courtyard and on-street parking spaces. The layout provides for a potential road link to subsequent phases of the wider development.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting documents –

- Planning Statement
- Framework Plan
- Affordable Housing Statement
- Arboricultural Constraints Report
- Ecology & Nature Conservation Assessment
- Travel Plan
- Transport Assessment
- Utilities Report (site wide)
- Flood Risk Assessment
- Phase 2 Geo-Environmental Site Investigation Report

REPRESENTATIONS

3 letters of representation have been received raising the following points –

- Layout fails to implement adequate design and mitigation measures set out in the original outline Environmental Statement, Transport Assessment and Travel Plan – i.e. absence of adequate cycle parking in accordance with ECC Residential Design SPD – location, type and natural surveillance
- Over reliance on parking courts and on-street parking
- Lack of well-overlooked visitor cycle parking
- Absence of Home Zone design principles e.g. shared surface streets to restrict vehicle speed and give sense of priority to pedestrians/cyclists
- Street scene dominated by vehicle parking
- Insufficient dropped kerbs
- Absence of details of pedestrian and cycle networks and on-site bus routes as required by outline conditions 28, 29 & 30
- Adjoining landowner not welcome vehicular connection to their land due to concerns about capacity of Fitzroy Road/Honiton Road junction to cope with traffic from the residential development
- Question highway network capacity impact, and ability to deliver access strategy set out in the outline consent – i.e. delivery of a secondary access to the development in addition to Hill Barton Road
- Highlight need for provision of substantial car park on current application site to meet likely demand for residents of the development wanting to use any retail development delivered on adjoining land
- Concern about impact upon highway network in terms of capacity in event of more than 500 dwellings being served without provision of a secondary access i.e. Oberon Road
- As proposed would prejudice delivery/development of adjoining Moor Exchange site which is allocated for commercial development because –
 - Houses shown in close proximity – noise nuisance to potential occupiers from service vehicles associated with commercial development
 - Connection between two sites inappropriate and compromise functioning of future commercial development
- Bus only connection into adjoining land unacceptable given uncertainties of operator commitment
- Adjoining landowner only commit to providing vehicular connection once Oberon Road link is provided and open for use.
- Introduces uncertainty which could compromise development at Moor Exchange
- Contrary to previously agreed access strategy – Monkerton and Hill Barton Masterplan and Core Strategy policy CP19 and outline consent
- Application made pursuant to incorrect application – should be withdrawn, re-submitted and re-consulted.

Further letters of objection in respect of the revised layout plan has been received on behalf of the owner of the adjoining land raising the following concerns –

- Whilst not objecting to omission of a full vehicular connection to their land, and hence Fitzroy Road, express surprise at Highway Authority's stance given this is contrary to access strategy for Monkerton/Hill Barton and Development Plan
- Express concerns about arrangements to ensure restriction to buses/pedestrians/cyclists is maintained and enforced in perpetuity, particularly in light of proposed reliance on signage only rather than physical measures

- In light of above concerned about impact on Fitzroy Road junction and highlight potential reluctance to deliver corresponding part of link through their land in connection with future applications
- Query funding availability for bus service, state only upon confirmation of funding would they be prepared to deliver a connection, and only then with physical restrictions to limit general usage
- Re-iterate previous comments regarding facilitation of appropriate access to any potential Moor Lane development, with consequent potential for additional traffic movements on road network and/or indiscriminate parking within residential layout
- Compatibility of residential development proposed with adjacent land use, and potential impact on its operation. Query effectiveness and visual impact of acoustic fence. Consider this issue should be addressed prior to any consent being granted not left to a condition.
- Cannot accept potential bus link to their land without physical barriers – need absolute certainty it will be used as a bus only link
- Concern from potential development partners over highway performance and an uncontrolled link could be risk to bringing a scheme forward
- Object to potential build out to discourage private motor vehicle use being shown on their land and outside redline denoting reserved matters application site – not acceptable for measures to secure bus only access to fall on adjoining land owner
- Question whether it is technically feasible for bus to utilise proposed link in absence of appropriate detail i.e. swept path analysis

Further comments on revised plans on behalf of Exeter Cycling Campaign stating –

- Welcome amendments to include cycle storage provision for dwellings, introduction of traffic calming via 'raised tables', greater pedestrian/cycle connections from site to existing 'Met Office' path and bus/cycle/pedestrian only link to adjoining land in southern part of site
- Trust connections will be delivered prior to first occupation, and without complications related to any third party landownership which should be resolved now
- Query how restriction of southern access to bus only use will be enforced and suggest an appropriate bollard approach is adopted

CONSULTATIONS

Natural England – No comments, refer to standing advice.

Highways England – comment as follows “This application relates to reserved matters for the Phase 2 development area previously approved under permission reference 12/0472/01. The original outline planning permission provided for a mixed use scheme comprising up to 750 dwellings, a local centre (A1, D1, D2), public open space, demolition of buildings, landscaping, highway access to Hill Barton Road and associated infrastructure works. All matters were reserved for future consideration apart from access. Phase 1 consisted of the construction of 140 dwellings with associated work, and phase 2 now seeks to deliver a further 115 dwellings. The traffic impact of the proposed development on the SRN (Strategic Road Network) was dealt with at the outline stage. The number of dwellings which are subject to the reserved matters application remains within the overall number of dwellings permitted at the outline stage and highway access arrangements are not affected by the proposals. Highways England is therefore satisfied that the reserved matters will not alter the previously assessed impact of the development on the SRN. Recommendation – Highways England has no objections to the proposed reserved matters.”

Environmental Health – submitted contaminated land report is acceptable to meet the pre-commencement requirements of the relevant condition on the outline consent.

Met Office (Safeguarding) – No objection.

County Head of Planning, Transportation and Environment (Highways) – Comments as follows –

“The submitted application is for approval of reserved matters for the erection of 115 dwellings including associated works at land to north, west & south of the Met Office, Exeter. The site represents Phase 2 of the outline consent for 750 dwellings on the site (12/0472/01).

Vehicular Access

Vehicular access to the site will be provided via link from Hill Barton Phase 1. Speed calming measures have been proposed and are consistent to those in place at Phase 1 – this is acceptable. The internal road layout has been progressed in liaison with the Highway Authority and is broadly acceptable (albeit that the turning head designs and other minor points may need to be amended during the S38 stage). Nevertheless, it is pleasing that the onsite layout incorporates best practice design philosophies from Manual for Streets to promote low vehicle speeds and safer environment for vulnerable users. The applicant has indicated that raised tables will be provided – the exact specifications, including the construction and materials used will need to be agreed with the Highway Authority.

Pedestrian and Cycle access

Generally, a high level of pedestrian and cycle permeability has been provided within the site, meeting some of the aspirations set out in the Hill Barton Masterplan – this is welcomed. This includes a number of new connections to the existing Met Office footway/cycleway (immediately north to the site) and an exit to the most easterly point of the site. All pedestrian/cycle links provided should be at least 3m wide.

Bus Provision

During the consultation process, the applicant and Highway Authority have discussed the possibility of a bus running through the site. The applicant has provided tracking diagrams, giving confidence that if a bus service were to be in operation in future, a bus could manoeuvre safely around the proposed highway layout. The potential bus service would run through Hill Barton Phase 1 and enter Phase 2 via the northern vehicular access and eventually exit onto Fitzroy Road. The applicant has built this potential link to the boundary, safeguarding the route for future use. The connection to the south will only be available to buses, pedestrians and cyclists; **private motorised vehicular use will be prohibited**. As such, the applicant will provide signage should a bus route be in operation. The submitted plans also show a build out to discourage private motorised vehicular use, whilst providing a facility for pedestrians and cyclists to pass through safely and is therefore conditioned.

Finally, a Traffic Regulation Order (TRO) will also be required to advertise the “bus only” link to the south – this shall only be requested when the bus route is in operation.

In summary, a safe and suitable access can be achieved for all users. Subject to a condition safeguarding a potential bus route to the south and satisfying the outline conditions, no objection.”

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework (NPPF):-

4. Promoting sustainable transport
5. Supporting high quality communication infrastructure
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

Paragraph 11 - Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 14 - At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making and decision-taking...For decision taking this means: approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

Paragraph 49 - Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

Exeter Local Development Framework Core Strategy 2012

- CP1 – Spatial approach
- CP3 – Housing development
- CP4 – Housing density
- CP5 – Meeting housing needs
- CP7 – Affordable housing
- CP9 – Strategic transport measures to accommodate development
- CP10 – Meeting Community Needs
- CP11 – Pollution and air quality
- CP12 – Flood risk
- CP14 – Renewable and low carbon energy
- CP15 – Sustainable design and construction
- CP16 – Strategic green infrastructure
- CP17 – Design and local distinctiveness
- CP18 – Infrastructure requirements and developer contributions
- CP19 - Strategic Allocations

Exeter Local Plan First Review 1995-2011 Saved Policies

- AP1 – Design and location of development
- AP2 – Sequential approach
- H1 – Housing land search sequence
- H2 – Housing location priorities
- H3 – Housing sites
- H6 – Affordable housing
- H7 – Housing for disabled people

L4 – Provision of playing pitches
T1 – Hierarchy of modes of transport
T2 – Accessibility criteria
T3 – Encouraging use of sustainable modes of transport
T10 – Car parking standards
C5 – Archaeology
LS1 – Landscape setting
EN2 – Contaminated land
EN3 – Air and water quality
EN4 – Flood risk
EN5 – Noise
DG1 – Objectives of urban design
DG2 – Energy conservation
DG4 – Residential layout and amenity
DG5 – Provision of open space and children's play areas
DG6 – Vehicle circulation and car parking in residential developments
DG7 – Crime prevention and safety

Development Delivery Development Plan Document (Publication Version):-

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

DD1 - Sustainable Development
DD9 - Accessibility, Adoptable and Wheelchair User Dwellings
DD13 - Residential Amenity
DD20 - Sustainable Movement
DD21 - Parking
DD22 - Open Space
DD25 - Design Principles
DD26 - Designing Out Crime
DD28 - Heritage Assets
DD29 - Landscape Setting Areas
DD30 - Green Infrastructure
DD31 - Biodiversity
DD33 - Flood Risk
DD34 - Pollution

Exeter City Council Supplementary Planning Documents

Affordable Housing SPD 2013
Archaeology and Development SPG 2004
Planning Obligations SPD 2009
Public Open Space SPD 2005
Residential Design SPD 2010
Sustainable Transport SPD 2013
Trees and Development SPD 2009

OBSERVATIONS

As this application constitutes a 'reserved matters' application for the second phase of a wider development, with the principle of development being established via the outline consent, the main considerations relate to detailed matters in respect of design/layout/amenity standards, transportation matters, and affordable housing provision.

Design/layout/amenity

One of the conditions of the outline consent required that a 'Framework Plan' be submitted and approved for each phase of the development subject to a reserved matters application. The purpose of this document was to demonstrate that each phase of the wider development coming forward was in accordance with the broad principles established in the outline indicative master plan; and the parameter plans and Design and Access Statement approved at the outline stage. Such a plan accompanies this application for Phase 2 of development the subject of this application. Essentially the submitted Framework Plan is an extension of that previously approved for Phase 1 and is considered acceptable.

The essential elements of the layout comprise a continuation of the existing road through the recently constructed Phase 1 through the site to a potential connection point with the adjoining commercial development constructed off Fitzroy Road. Due to the linear narrow nature of the site the majority of the proposed dwellings will front this new section of road. Where the site widens out in the north a cul-de-sac will spur off the main road to serve further houses. The layout also incorporates pedestrian/cycle path connections to both the main cycle path leading from Hill Barton Road to the Met Office and to the cycle/footpath provided to the north of the current site as part of the Phase 1 development. Overall the general layout and linkages to adjoining land is considered logical and appropriate to the site and its constraints.

The scheme provides a total of 116 units (86 open market and 30 affordable) comprising a mix of semi-detached, terraced and apartment properties ranging from 1 to 4 bedroom dwellings. The proposed house types are a continuation of those constructed on Phase 1 except for the Moseley House type (of which 8 are proposed). The breakdown in size of dwellings proposed is as follows:-

- 40 1bed dwellings
- 60 2bed dwellings
- 13 3bed dwellings, and
- 2 4bed dwellings.

The proposed mix is a reflection of the current demand for smaller house types. Overall the mix of house types is considered acceptable. The layout has been the subject of pre-application negotiations with officers to achieve acceptable private amenity space and separation distances between properties. All of the houses are provided with private gardens, the majority of which comply with the standards set out in the Council's Residential Design SPD. The small proportion that are under the standard are only marginally short and, in the context of the overall layout and need to maximise housing delivery, the level of private external amenity space provided across the scheme is considered acceptable. The apartments within the scheme are provided with an acceptable level of communal amenity space to serve the residents of those units. Likewise the separation distances between proposed dwellings is considered acceptable.

Open space is provided as part of the development and has to be considered in the context of the overall outline consent. As part of that outline consent later phases will provide the more significant areas of open space as part of the linear park alongside Hollow Lane. This approach is consistent with the masterplan and in this context the level of provision provided as part of this phase is considered acceptable.

Significant tree planting along the main road is proposed in continuation of the approach adopted within Phase 1. This will be further enhanced by planting to individual plots which will form part of a landscaping scheme to discharge the relevant condition of the outline consent.

The southern part of the site will adjoin land likely to be developed for commercial purposes. With this in mind the boundary treatment along this part of the site will need to comprise an appropriate acoustic fence to minimise potential noise disturbance and facilitate the consented commercial use of the adjoining land. The layout plan has been annotated accordingly and the erection and specification of this fence can be controlled by an appropriate condition.

Transportation matters

The road layout within the development has been the subject of significant negotiations with officers, including representatives of the Highway Authority. The main aim has been to secure an appropriately located vehicle connection to adjoining land to facilitate a bus route running through the site in the longer term if there is operator interest in providing a bus service; and a road layout that caters for bus tracking along the entire length. This has been secured within the revised plans/layout. The road layout is a continuation of that running through the earlier phase and provides the opportunity for a bus route to run through the site from Fitzroy Road to Hill Barton Road and beyond. It is intended that this connection would be for pedestrian/cyclists and buses only and has been designed with this in mind including a small build out to narrow part of the carriageway. Restricting this link to buses only will require a Traffic Regulation Order (TRO) and signage which would need to be funded by the developer and secured through an appropriate legal agreement.

The layout incorporates appropriate pedestrian and cycle connections to existing footpaths/routes and thereby should serve to encourage the use of modes of sustainable transport other than the private motor vehicle.

The parking strategy for the site also continues the approach adopted for Phase 1 and provides a mix of on-plot and on-street parking to serve the dwellings. Where right angle parking is provided tree planting has been incorporated to break up the dominance of cars within the street scene. This has resulted in a small number of limited size parking courts to serve some dwellings in addition to the communal parking courts serving the proposed apartments/flats.

The Highway Authority have raised no objection to the proposal on transportation grounds and overall the proposal is considered acceptable from this perspective.

Affordable Housing

The S106 Agreement attached to the outline consent requires 25% of the dwellings on site to be provided as affordable housing in the form of social rented and intermediate accommodation. The 25% would comprise a proportionate mix of the house types proposed for the overall site, although it does include all of the proposed 4 bed units within this phase (x2). For this phase 25% would equate to 29 affordable dwellings. However, within this phase 30 affordable dwellings are proposed which corrects a marginal under provision within the previous phase. The number, mix and location of the affordable housing has been subject to negotiation with officers. The affordable units are grouped within 3 clusters comprising 7, 9 and 14 dwellings respectively. Whilst one of these clusters is marginally larger than that advocated in the Council's Affordable Housing SPD there is considered to be a logic to the distribution proposed within layout taking into account mix/dwelling size. Given that 2 of the other clusters are under the maximum number suggested, and the constraints of the site layout, the clustering is considered acceptable in this instance.

Conclusions

The first phase of Hill Barton has progressed relatively quickly and already has a high level of occupation. The Monkerton/Hill Barton strategic allocation area, of which this proposal forms

part is important to the Council's delivery of housing. This phase represents a continuation of the form of development within Phase 1 and has been developed with reference to wider objectives, the Monkerton/Hill Barton Master Plan and the site constraints. The scheme as now proposed has been the subject of a positive process of negotiation involving City Council officers and Devon County colleagues from a transportation perspective.

The applicant is in the process of preparing a Unilateral Undertaking regarding payment of the required financial contribution to the County Council (£3,000) towards the necessary Traffic Regulation Order in respect of the bus only highway connection to the adjoining land.

Overall, the reserved matters proposals for this second phase of the development are considered acceptable subject to the satisfactory completion of the above-mentioned agreement. Accordingly, the recommendation is one of approval.

RECOMMENDATION

Subject to the completion of a satisfactory S106 Unilateral Undertaking as set out above
APPROVE subject to the following conditions -

- 1) All conditions imposed on application number 14/0832/03 are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 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 22nd & 26th June and 6th July 2017 (including dwg. nos. Location Plan, 120 Rev P7, 121 Rev P4, GA-02 Rev P1, 122 Rev P2, 123 Rev P3, PL500-1 Rev P2, PL500-2 Rev P2, PL500-3 Rev P2, PL501-1 Rev P2, PL501-2 Rev P2, PL501-3 Rev P2, PL501-4 Rev P2, PL501-5 Rev P2, PL501-6 Rev P2, PL501-7 Rev P2, PL502-1 Rev P2, PL502-2 Rev P2, PL502-3 Rev P2, PL503-1 Rev P1, PL503-2 Rev P1, PL503-3 Rev P1, PL503-4 Rev P1, PL504-1 Rev P2, PL504-2 Rev P2, PL504-3 Rev P2, PL504-4 Rev P2, PL504-5 Rev P2, PL504-6 Rev P2, PL505-1 Rev P2, PL505-2 Rev P2, PL505-3 Rev P2, PL506-1 Rev P3, PL506-2 Rev P3, PL506-3 Rev P3, PL506-4 Rev P3, PL506-5 Rev P3, PL506-6 Rev P3, PL507-1 Rev P2, PL507-2 Rev P2, PL507-3 Rev P2, PL507-4 Rev P2, PL507-5 Rev P2, PL508-1 Rev P2, PL509-1 Rev P2, PL509-2 Rev P2, PL509-3 Rev P2, PL509-4 Rev P2, PL510-1 Rev P2, PL510-2 Rev P2, PL510-3 Rev P2, and PL510-4 Rev P2) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) No more than 65 of the dwellings included within this application shall be occupied until the road outside plot 246 has been constructed up to the boundary of the applicant's land ownership with the adjoining land to the south (safeguarding a potential bus route), as indicated on Drawing Number 120 Rev P7, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the full extent of the road up to the said boundary shall be included within any Highway Adoption agreement in respect of this development.
Reason: To provide adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.
- 4) The pedestrian/cycle connections from the development to the adjoining combined foot/cycle path, located adjacent to plot 247 and between plots 262 & 263, shall be constructed and made available for use by the public in accordance with details (including a timeframe) that shall be submitted to and approved in writing by the Local

Planning Authority prior to occupation of 50% of the dwellings included within this application.

Reason: In the interests of permeability and maximisation of opportunities for the adoption of sustainable transport choices in connection with both travel to work and recreation by residents of the development and their visitors.

- 5) The acoustic fence along south-east boundary of the site between plots 205 and 246, as indicated on drawing no. 121 Rev P4 (Materials & Boundary Treatment Plan), shall be constructed prior to occupation of any dwellings bordering it in accordance with further details/specification which shall previously have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the residential amenities of the potential occupants of those properties bordering the adjoining commercial land, and to protect the interests of the adjoining land owner in relation to the carrying out of lawful operations associated with the commercial use of the adjoining land.

- 6) No part of the development hereby approved shall be commenced until details (including timeframe for delivery) of a proposed pedestrian/cycle connection of a minimum 3 metre width between the Met Office path and the southern boundary of the site between the parking for plots 227/228 have been submitted to and approved in writing by the Local Planning Authority. Thereafter the said connection shall be constructed in accordance with those details up to the boundary of the applicant's land ownership with the adjoining land to the south prior to the first occupation of more than 65 dwellings included within this application, or such other trigger agreed in writing by the Local Planning Authority as part of the details to discharge this condition.

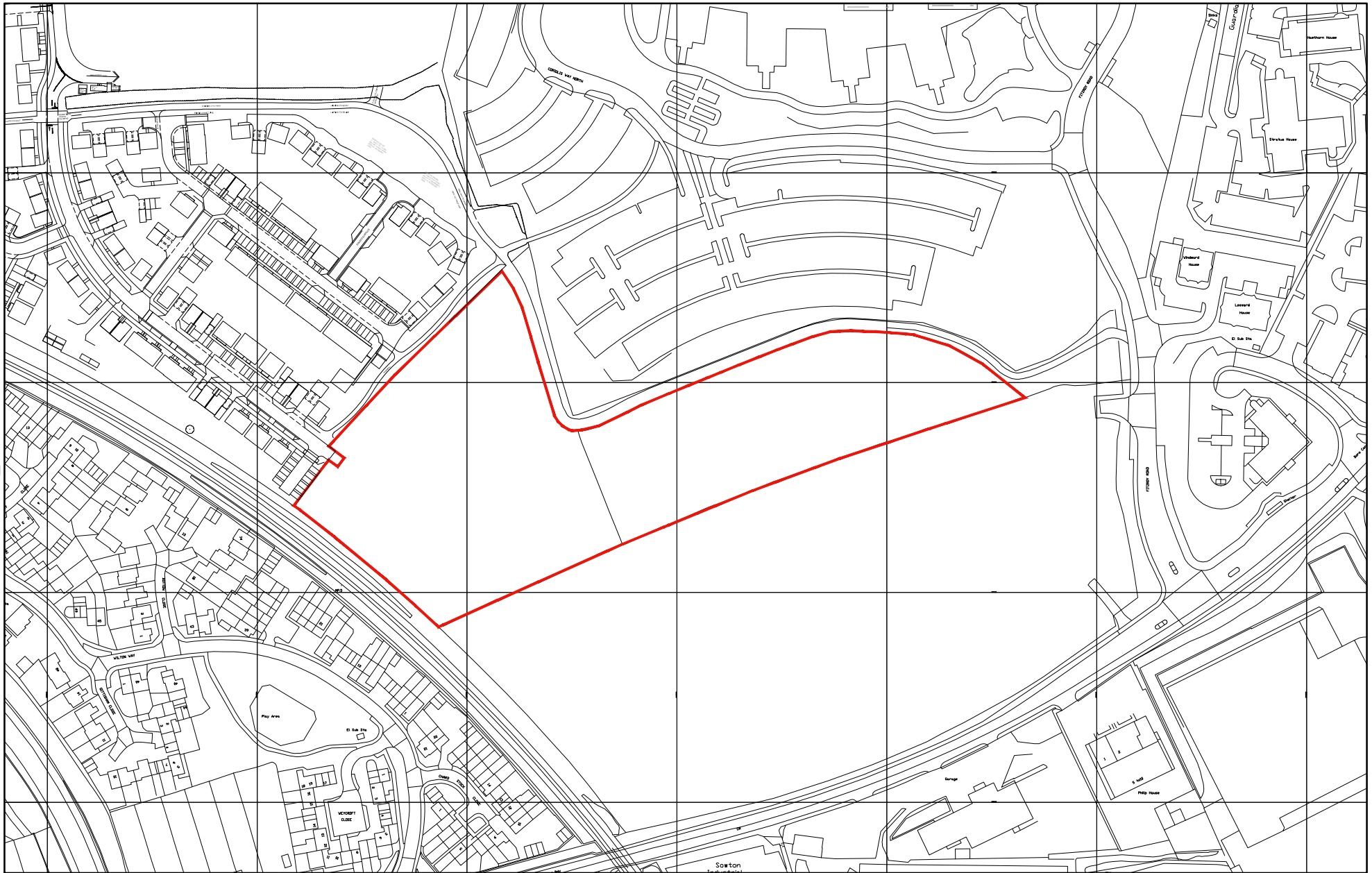
Reason: In the interests of permeability and encouragement of the use of sustainable modes of transport.

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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Hill Barton Road Phase 2 Location Plan

Scale 1:2500

FEB 2017

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ITEM NO.**COMMITTEE DATE:**

04/09/2017

APPLICATION NO:

17/0946/03

FULL PLANNING PERMISSION

APPLICANT:

Mr Cox

Environment Agency

PROPOSAL:

Exeter Flood Defence Scheme. Variation to approved scheme at Quay Bridge (ref. 15/0172/03): Introduction of a headwall to leat downstream of Quay Bridge. Masonry-clad headwall with bottom-hinged flap gate, glass parapet and access walkway, together with a connecting demountable flood defence barrier system.

LOCATION:

The Quay Bridge, The Quay, Exeter, EX2

REGISTRATION DATE:

09/06/2017

EXPIRY DATE:

04/09/2017

This application was originally considered by Planning Committee on 24 July and the Officer Report for that meeting is attached as Appendix A.

Background

Members will recall that the Planning Committee resolved to refuse this application for flood defence works at the Quay at the last meeting. Prior to the refusal notice being issued the Environment Agency (EA), as applicants, advised us that they wished to amend their proposal, and it was agreed with them that the revisions would be reported to this meeting. In order for Members to be able to best understand the proposal and the implications of alternative solutions such as flood gates, they were invited to a site inspection which was held on 22 August 22. Representatives of the Environment Agency were present to answer factual questions and to provide clarification regarding the proposal or flood protection generally in the Quay area.

Site inspection

EA representatives apologised for not putting across the scheme and the reasons for it more clearly before and at the last Planning Committee meeting. Verbal clarification was given for the reasons why a roller shutter across Quay Bridge is unfeasible; this relates to lack of required depth for foundations and the range of services running across the bridge. Diagrammatic details and photographic examples from elsewhere were shown.

It was clarified that the new structure will be a pedestrian/cycle bridge and it will provide access to the Samuel Jones Public House. Information was provided relating to the relationship with Quay Bridge, and the proposed materials. It was clarified that the submitted plans will not be modified, and the scheme being put forward is the same one that was resolved to be refused by Members at the last Planning Committee.

Members were advised that if the scheme being put forward is not approved, the completed flood alleviation scheme for the Quay will not include the 1 in 75 year standard of flood protection approved in 2015. This is because the 1 in 75 year standard scheme has been found to be impractical, and there will not be time or funding to pursue alternatives before the overall scheme is completed. Therefore, residences and commercial businesses on the Quay will be left largely unprotected.

Members who attended the site inspection welcomed the verbal clarification concerning the impracticalities of alternative means of protecting residential and commercial properties from flooding. They asked that this should be backed up by provision of written material. They recognised that in view of the lack of practical and affordable alternatives, provision of a structure in front of Quay Bridge may be inevitable in the interests of protecting residences and businesses on the Quay from flooding. However, they expressed concern and disappointment that the Environment Agency had not revised their plans at all following the resolution to refuse the application. It was felt that it would be better to move the proposed

structure away from Quay Bridge to minimise the impact on its appearance, and the setting of the Custom House and the wider character of the Quay area. It was considered that the close proximity of the structure to Quay Bridge would be harmful in this respect. Members also noted that the verbally described change to the scheme enabling public pedestrian access to the Samuel Jones Public House is not shown on the submitted plans, which show the new structure attached to an existing brick wall. They questioned whether it would be appropriate to approve these plans showing a 'bridge to nowhere'.

Members' views and concerns were fed back to the Environment Agency, and they are currently preparing a detailed response. It is understood that this will include:

- An explanation of why the EA believe that there is no acceptable alternative, and why in their view, a flood protection to a 1 in 100 standard outweighs the potential harm to heritage.
- Why they think that the proposal put forward is the only option the partnership can apply to construct.
- How the 'bridge to nowhere' concerns have been resolved.
- A potential alternative project that could be funded by ECC.
- A discussion on whether the structure could be moved down stream.
- Why alternative structures (i.e. roller gates) are not achievable.
- Visual appearance.

This will be circulated to Members on 1 September 2017 as part of the Committee Additional Information Sheet.

Commentary and recommendation

The principal considerations in determining the scheme before the Council require balancing the conflicting aims of flood alleviation and protecting the character and setting of heritage assets. The Environment Agency have been very clear that there is no practical and financially viable alternative to the submitted proposal which can be delivered within the timescale of their current flood alleviation works. They have now provided additional material to demonstrate their case, making it more difficult to justify refusal on these grounds.

The Environment Agency has also made it clear that it will not build the previously approved scheme providing a 1 in 75 year standard of flood alleviation, as in their terms this has been found to be impractical.

The scheme will undoubtedly have an impact on the character and setting of Quay Bridge, the Grade I listed Custom House, the wider Quay area and the Riverside Conservation Area. The material submitted by the Environment Agency to date has not demonstrated satisfactorily that the proposed structure will be of the high quality design and materials that would be expected in this context. If an approval is to be granted, it is vital that the additional material that is awaited addresses this issue.

RECOMMENDATION

Subject to receipt and consideration of the anticipated material described above, **APPROVAL** of the proposal as submitted is recommended. If Members are minded to agree with this recommendation, the decision will be subject to conditions securing final drawings, high quality materials; and any other information required. The final form of wording of the conditions will be agreed between the City Development Manager and the Chair of the Planning Committee prior to issuing the decision.

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

ITEM NO.**COMMITTEE DATE:**

24/7/2017

APPLICATION NO:

17/0946/03

FULL PLANNING PERMISSION

APPLICANT:

Mr Cox

Environment Agency

PROPOSAL:

Exeter Flood Defence Scheme. Variation to approved scheme at Quay Bridge (ref. 15/0172/03): Introduction of a headwall to leat downstream of Quay Bridge. Masonry-clad headwall with bottom-hinged flap gate, glass parapet and access walkway, together with a connecting demountable flood defence barrier system.

LOCATION:

The Quay Bridge, The Quay, Exeter, EX2

REGISTRATION DATE:

09/06/2017

EXPIRY DATE:

04/09/2017

HISTORY OF SITE

15/0173/07 -	The construction of flood defence improvements, comprising raising of existing defences and new flood defence walls, embankments and demountable defences.	PER	10/07/2015
15/0172/03 -	The construction of flood defence improvements, comprising raising of existing defences and new flood defence walls, embankments and demountable defences.	PER	10/07/2015

DESCRIPTION OF SITE/PROPOSAL

Construction of a flood defence headwall in the leat immediately downstream of Quay Bridge as an alternative to the previously approved headwall upstream. Headwall to be masonry-clad with bottom-hinged flap gate, glass parapet and access walkway, together with a connecting demountable flood defence barrier system.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is supported by the following documents:

- Quay Bridge Planning Statement
- Quay Bridge Design and Access Statement
- Quay Bridge Heritage Assessment
- Higher Leat Outlet and Quay Bridge Options report
- Flood Risk Assessment

REPRESENTATIONS

The application was advertised by site notices, press notice and by neighbour letter. The following responses were received.

Quay Traders Association. Concern about loss of disabled parking bays and disruption during construction.

No public responses have been received.

CONSULTATIONS

ECC Environmental Health. Approval with conditions (construction/demolition hours)

No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8 am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

Southwest Water. No comments received.

Exeter Civic Society. No comments received.

Exeter Canal and Quay Trust wishes to see a flood defence scheme which protects as much of the quay as possible. They wish the scheme put forward (which bases the protection on a new Mallison Bridge and gates either side of Transit Shed) to be evaluated both engineering and planning and if it is a viable alternative they would prefer it and therefore object to the current application, the platform adjoining quay bridge.

Environment Agency: No comment received.

Natural England. No comments to make on this application.

Historic England. The application proposes construction of a flood defence scheme at Exeter Quay. Much of the protection will be delivered via a demountable system consisting of boards inserted between permanently-located bollards, but a new headwall is proposed across the Higher Leat, screening views of the attractive but unlisted Quay Bridge behind. The bridge is within the Riverside Conservation Area, and within the setting of the adjacent Custom House; a Grade I listed building.

Historic England consider that the proposals will harm the character and appearance of the conservation area and the setting of the Grade I listed Custom House. Your authority will need to be convinced that these proposals are the only solution capable of delivering the necessary flood defence scheme, and that other solutions which may cause less harm have been fully investigated.

Exeter's Quayside is a well-preserved townscape of considerable character which serves as a tangible reminder of the City's maritime heritage. The Exeter Ship Canal which serves the quays is one of the earliest artificial waterways in the country, and a considerable number of historic buildings and structures associated with its late 18th/ early 19th century heyday survive in the immediate context of this site. The area is now busy with leisure, office and residential uses which have replaced commercial maritime trades.

The area is vulnerable to flooding, and these proposals have sought to balance preserving the character of the quayside with providing a practical means of flood prevention. In general this ambition is achieved; the combination of demountable barriers and use of existing buildings will provide the necessary protection without being unduly prominent. This is welcome in the context of the relationship between the Custom House and the water's edge, which would have been compromised if permanent raised barriers had proven necessary. Happily, they have not.

However, we retain reservations with regards to the design of the proposed headwall across the Higher Leat. This takes the form of a pair of masonry walls linked by a pedestrian bridge with glazed balustrade. The new bridge would screen the existing bridge behind; an attractive dual-arched structure of apparent 18th century origin constructed in local sandstone. Its appearance is marred by a waste-water pipe clumsily attached above the twin

arches, but it nevertheless makes a positive contribution to the character and appearance of the conservation area and the setting of the custom house.

The introduction of a new 'bridge' structure ahead of the existing historic bridge would detract from the picturesque grouping of the existing bridge juxtaposed with the Grade I listed Custom House, to the detriment of the character and appearance of the conservation area.

Historic England have long favoured a solution whereby sliding/rolling floodgates would be provided either of the bridge, which would then act as part of the flood defence system. Such a solution would obviate the need for a new, independent headwall ahead of the bridge and thus preserve its original appearance. The design and access statement makes reference to this option on page 7, stating it was "discounted at an early stage due to insufficient storage space".

Your authority should test this proposition to make sure it is correct. If there is scope for sliding/rolling floodgates to be incorporated into existing fabric, then it follows that the harm to historic environment (as identified by the applicant's heritage statement) could be further reduced or even omitted, and therefore does not have the clear and convincing justification required by the NPPF.

NPPF 132 advises that all harm requires clear and convincing justification, and the more important the heritage asset the greater the weight that should be given to its conservation. In this context, we remind you that the Custom House, whose setting would be adversely affected, is a Grade I listed building – i.e. a 'heritage asset of the highest significance'.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. You should also be mindful of the requirement in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance
NPPF - National Planning Policy Framework

Exeter Local Development Framework Core Strategy
CP9 - Transport
CP10 - Meeting Community Needs
CP12 - Flood Risk
CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011
T5 - Cycle Route Network
C1 - Conservation Areas
C2 - Listed Buildings
C3 - Buildings of Local Importance
C5 - Archaeology
LS1 - Landscape Setting
LS4 - Local Nature Conservation Designation/RIGS
EN4 - Flood Risk
EN3 - Air and Water Quality
EN5 - Noise

DG1 - Objectives of Urban Design
KP6 - Quay/Canal Basin Area

Exeter City Council Supplementary Planning Document
Riverside Conservation Area Appraisal and Management Plan (September 2005)

OBSERVATIONS

Conditions requiring approval layout of the site compound to avoid loss of parking spaces/reduce duration and/or temporarily relocate them can be secured by condition attached to any consent granted.

Conditions can also control construction activity in the interests of amenity of neighbours and the condition recommended by the Environmental Health team should be attached to any consent.

Design

The strategy of using modern forms of materials in an unadorned way to avoid a pastiche of the existing bridge is appropriate. However, the concept of the design, a flood defence structure with the appearance of a simple beam bridge lacks credibility: the crossing does not lead anywhere (it would abut part of the wall at the side of the Samuel Jones pub) and an additional crossing is clearly superfluous; the opening under the bridge is determined by the size of the flap gates rather than the width of the leat and the underside of the supporting beam which results in it being out of scale with the span and height of the structure. The artists impression in the Options Report (Fig 6.2) and the final proposal – View from Mallison Bridge (p9) provide indications of the proposed structure but are not convincing evidence that this represents an extensive appraisal of possibilities nor that the design has reached a sufficient level of design development and refinement: this is essential given the sensitivity of the location and the need to achieve design excellence.

The engineering drawings (483599-CH-04-00-DR-4230 &4231 rev.P8/P4) show some detail of the overall arrangement of the structure but do not provide sufficient information about construction and materials, dimensions of key components, adjoining levels, boundaries and paving to be acceptable. Precise and comprehensive details are needed to demonstrate that the drawings and illustrations are consistent and that the most accurate representation of the proposals is available. Reservation of such matters by condition is not considered appropriate given the sensitivity of the location.

Flood Protection

The flood defences at the quayside are part of a defence line running from the Mill on The Exe through to the Quayside protecting a 'flood cell' that includes parts of Bonhay Road, Tudor Street area, Shillhay and the Quayside as far eastwards/downstream as Kings Wharf. The majority of the flood cell area, and all the residential properties within it, are west of the Quay Bridge.

These proposals are made to provide 1 in 100 year probability (or 1% annual probability) standard of flood defence. Previously approved arrangements (ref. 15/0172/03) are, following detailed surveys, only considered to provide protection to a 1 in 75 (1.3% annual probability) standard of defence at Quay Bridge.

1 in 100 year standard was adopted for the whole of the Exeter flood defence improvements scheme in advance of detailed design and site investigations. The approved scheme in this location was comprised of a head wall on the leat upstream of Quay Bridge, lining to the underside of the bridge and incorporation of the existing bridge parapet walls and was

previously considered to achieve the 1 in 100 year standard. The view now, following detailed surveys and design work, with regards the parapet walls of the Quay Bridge is that they cannot withstand an event of greater than 1 in 75 year probability.

1 in 75 years is a good standard of defence recognised by the insurance industry and would represent a significant improvement on the pre-works flood risk at the Quayside which was as low as of 1 in 20 year in places.

The Exe has a system of early flood warning in place and a flood event of greater than 1 in 75 years would be alerted by this warning arrangement.

The proposal to site a modern structure downstream of Quay Bridge in the manner proposed is considered to detract from the picturesque and important grouping of the existing bridge juxtaposed with the Grade I listed Custom House, to the detriment of the character and appearance of the conservation area and the setting of that Grade 1 listed building.

Further it is not considered that the option of protecting the majority of the flood cell west of the Quay Bridge to a 1 in 100 standard by use of roller gate on the western side of the bridge, in conjunction with the approved upstream headwall, has been demonstrated to be unfeasible. Use of a roller gate at the eastern end of the bridge would be impracticable given the space constraints. The use of a roller gate on the western side of the bridge would divide the flood cell and ensure a 1 in 100 year level of protection is provided to the flood cell west of the Quay Bridge, including all of the more flood sensitive residential property in this cell.

If the proposal as submitted here is considered unacceptable there would be greater leverage on utilities providers to consider service alterations, where that is possible, to facilitate a solution. This is in itself not a planning reason to refuse the application.

Notwithstanding the above matters there are matters of detailed design which at this stage are not acceptable. If members are minded to support the principle of a structure downstream of Quay Bridge is recommended that provision is made for further work on the detail of the design before any consent is granted.

Planning Member Working Group

The scheme was presented to Planning Member Working Group on 23 May 2017. It was noted that the Environment Agency was the body of last resort for operation and maintenance works (the City Council would normally do so in this location) and this had influenced their design concepts.

Some Members liked the use of modern toughened glass and it was remarked that the solution brought the whole defence works into the 1 in 100 year event scenario and should be supported on this basis. The majority of Members did not feel that there had been sufficient consideration to alternative options in particular the sliding/rolling gates scheme and therefore requested that the Environment Agency be asked to consider this option further. The proposed structure downstream of the bridge was only considered acceptable as a last resort other options having been exhausted.

CONCLUSION

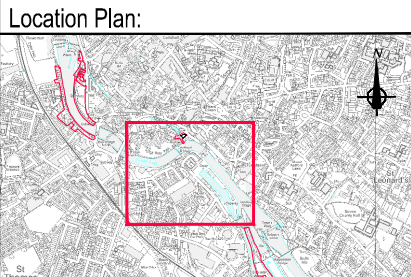
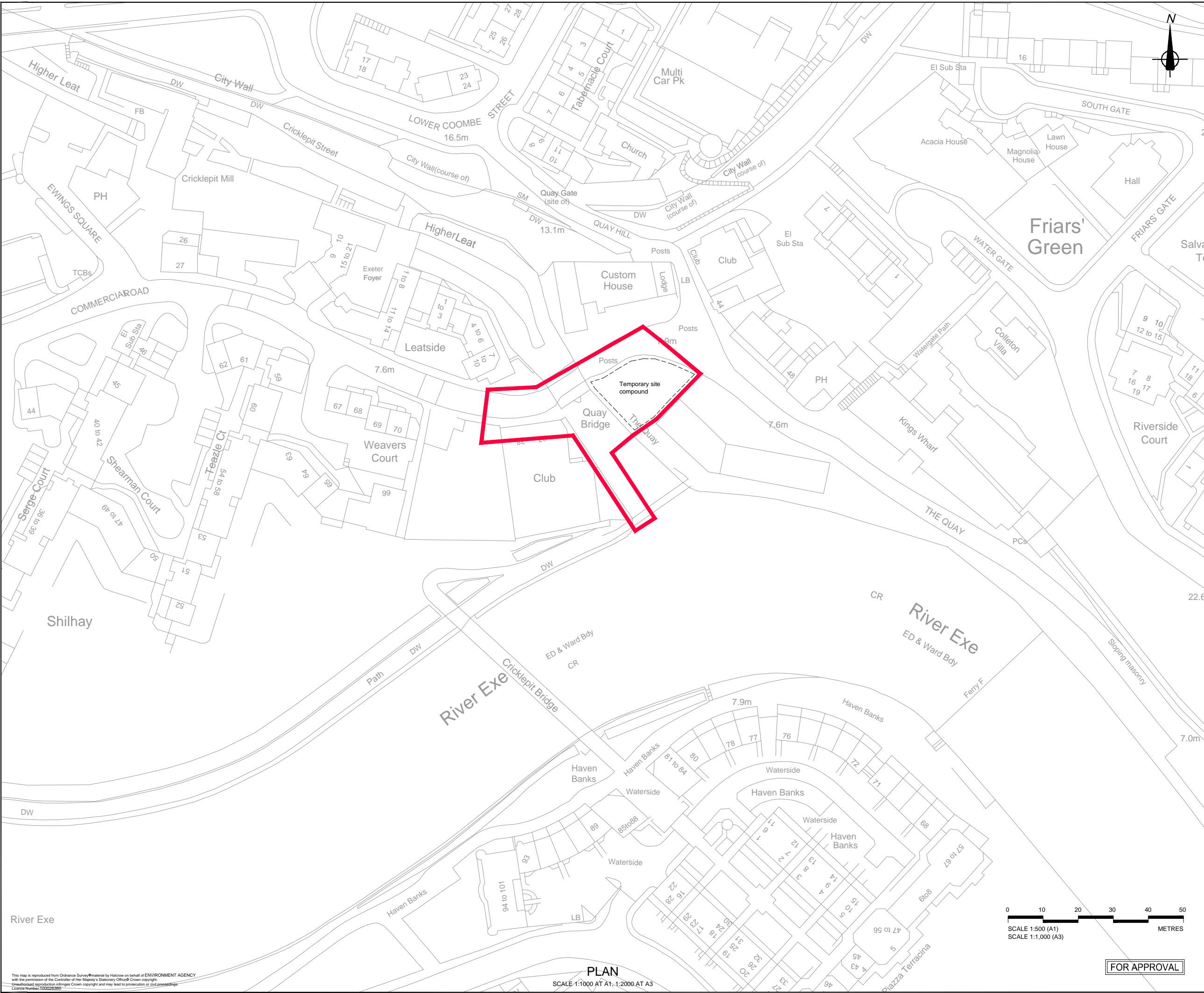
It has not been demonstrated in the application that alternative means of protecting residential properties in this area to a 1 in 100 standard, if desired, cannot be achieved by alternative means that result in significantly less harm to the setting of listed buildings or to the desirability of preserving or enhancing the character or appearance of the Riverside Conservation Area.

It has not been demonstrated in the application that the benefits of an increase from 1 in 75 year (1% annual probability) to 1 in 100 year (1.3% annual probability) standard of flood protection outweighs the harm to the setting of listed buildings or to the desirability of preserving or enhancing the character or appearance of the Riverside Conservation Area.

On balance the proposals are considered to be contrary to the aims of Exeter Local Plan First Review 1995-2011 policies C1 and C2, Exeter Core Strategy Policy CP17 and Paragraph 132 of the NPPF.




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




Key:

Application Site Boundary

Rev	By	Chkd	Apprvd	Date	Description
Client					
  					
Project					
EXETER FLOOD DEFENCE SCHEME					
Drawing					
PHASE 2: ZONE 4 QUAY BRIDGE APPLICATION SITE BOUNDARY					
Drawing No.					
483599-CH-04-00-DR-T-4203					
Revision					
T1					
Drawing Scale: AS SHOWN					

Drawn by: PG Date: 05/06/2017
Checked by: JPL Date: 05/06/2017
Approved by: CAG Date: 05/06/2017

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PLAN
SCALE 1:1000 AT A1; 1:2000 AT A3



FOR APPROVAL

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REPORT TO: PLANNING COMMITTEE**Date of Meeting: 4 September 2017****Report of: City Development Manager****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 Asst City Development Manager Planning (Roger Clotworthy) or City Development Manager (Andy Robbins) of any questions on the schedule prior to Planning Committee meeting.
- 2.2 Members are asked to note the report.

3 PLANNING APPLICATION CODES

- 3.1 The latter part of the application reference number indicates the type of application:

OUT	Outline Planning Permission
RES	Approval of Reserved Matters
FUL	Full Planning Permission
TPO	Works to Tree(s) with Preservation Order
ADV	Advertisement Consent
CAT	Works to Tree(s) in Conservation Area
LBC	Listed Building Consent
ECC	Exeter City Council Regulation 3
LED	Lawfulness of Existing Use/Development
LPD	Certificate of Proposed Use/Development
TEL	Telecommunication Apparatus Determination
CMA	County Matter Application
CTY	Devon County Council Application
MDO	Modification and Discharge of Planning Obligation Regulations
NMA	Non Material Amendment
EXT	Extension to Extant Planning Consent
PD	Extension - Prior Approval
PDJ	Office to Dwelling - Prior Approval

- 3.2 The decision type uses the following codes:

DREF	Deemed Refusal
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

ANDY ROBBINS
CITY DEVELOPMENT MANAGER

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All Planning Decisions Made and Withdrawn Applications between 14/07/2017 and 23/08/2017

Alphington

Application Number:	17/0689/FUL	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	21/08/2017 Delegated Decision
Location:	54 BroadwayExeterEX2 9LY		
Proposal:	Ground floor rear extension		
Application Number:	17/0740/ADV	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	26/07/2017 Delegated Decision
Location:	Furniture Direct, Retail Park Close, Marsh Barton Road, Marsh Barton Trading Estate, Exeter, E		
Proposal:	2 off Fully Illuminated Flex Face Sign Window Vinyl's 1 off Post Mounted Car Park Sign		
Application Number:	17/0881/FUL	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	08/08/2017 Delegated Decision
Location:	Exeter Energy Recovery Facility (Erf), Grace Road South, Marsh Barton Trading Estate, Exeter,		
Proposal:	Proposed private electricity supply wire from the Exeter Energy Recovery Facility at Marsh Barton to South West Waters Countess Wear Water Treatment works		
Application Number:	17/0934/ADV	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	11/08/2017 Delegated Decision
Location:	Unit 2, Jardine Park, Bradman Way, Marsh Barton Trading Estate, Exeter, EX2 8PE		
Proposal:	Three external aluminium fascia signs.		
Application Number:	17/0949/ADV	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	03/08/2017 Delegated Decision
Location:	Zone B, Matford Green Business Park, Yeoford Way, Marsh Barton Trading Estate, Exeter, EX2		
Proposal:	Advertisement consent for 2 no. freestanding illuminated signs; 1 no. non-illuminated sign; 3 no. illuminated fascia signs and 2 no. non-illuminated fascia signs		

Alphington

Application Number:	17/1011/CAT	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	21/07/2017	Delegated to Planning Officer
Location:	EwhurstLittle Johns Cross HillExeterDevonEX2 9PL			
Proposal:	Pine P1, P2, P3 and P4 - Fell; T1 and T2 Silver Birch - prune lower branches, to generally tidy the area less than 5% of the total area			
Application Number:	17/1143/CAT	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	22/08/2017	Delegated Decision
Location:	5 Little Johns Cross HillExeterDevonEX2 9PJ			
Proposal:	T1 - Beech tree, lop branches and reduce crown by 3m to restore shape, as endangering neighbour's phone wire.			
Application Number:	17/1334/TPO	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	16/08/2017	Delegated Decision
Location:	47 Grace RoadExeterDevonEX2 8PN			
Proposal:	T1 - London Plane, Fell.			

Duryard And St James

Application Number:	17/0994/CAT	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	20/07/2017 Delegated Decision
Location:	95 Howell RoadExeterDevonEX4 4LH		
Proposal:	T9 - Elm - Fell; T14 - Poplar - Fell		
Application Number:	17/1049/CAT	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	01/08/2017 Delegated Decision
Location:	21 Devonshire PlaceExeterDevonEX4 6JA		
Proposal:	T1 - Pittisporum: reduce crown by 30% and shorten laterals by 2-3 feet; T2- Silver Birch: reduce in height by 30% and reshape laterals by 3-4 feet; T3 - Bay: fell.		
Application Number:	17/1067/CAT	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	16/08/2017 Delegated Decision
Location:	1 HorseguardsExeterDevonEX4 4UU		
Proposal:	T1: Eucalyptus - fell		
Application Number:	17/1109/TPO	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	08/08/2017 Delegated Decision
Location:	21 Allington MeadExeterDevonEX4 5AP		
Proposal:	T1 & T2 Turkey oaks: crown lift to 6 metres over garden area.		

Duryard And St James

Application Number:	17/1119/TPO	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	17/08/2017
			Delegated Decision

Location: 1 Belvidere RoadExeterDevonEX4 4RU

Proposal: Prune Ash Tree.

Application Number:	17/1130/FUL	Delegation Briefing:	27/07/2017
Decision Type:	Permitted	Decision Date:	15/08/2017
			Delegated Decision

Location: 44 Argyll RoadExeterDevonEX4 4RY

Proposal: Raised terrace extending 2.3 metres off front elevation

Application Number:	17/1292/DIS	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	17/08/2017
			Delegated Decision

Location: 31 Union RoadExeterDevonEX4 6HU

Proposal: Discharge of condition 3 of Ref 17/0146/03

Exwick

Application Number:	17/0886/FUL	Delegation Briefing:	27/07/2017	
Decision Type:	Refuse Plannin	Decision Date:	11/08/2017	Delegated Decision

Location: 11 Medley Court, Exeter, EX4 2QN

Proposal: Single storey rear conservatory extension

Application Number:	17/1058/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	16/08/2017	Delegated Decision

Location: 22 Ashleigh CloseExeterDevonEX4 2BU

Proposal: Remove window and fit a wheelchair acessible door and frame from back bedroom into rear garden

Application Number:	17/1207/NMA	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	22/08/2017	Delegated Decision

Location: Civil Service ClubExwick RoadExeterDevonEX4 2BQ

Proposal: Non-material amendment to reduce the number of lighting columns from 8 to 6 relating to planning application 15/0870/03 granted 12 April 2017

Heavitree

Application Number:	17/1000/PD	Delegation Briefing:	
Decision Type:	Withdrawn by	Decision Date:	10/08/2017 Delegated Decision
Location:	18 First AvenueHeavitreeExeterDevonEX1 2PH		
Proposal:	Extension at rear to be used as a dining room		
Application Number:	17/1002/NMA	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	25/07/2017 Delegated Decision
Location:	67 Whipton LaneExeterDevonEX1 3DL		
Proposal:	Non Material Amendment - Change upper floor external finish from Render to Brick		
Application Number:	17/1020/CAT	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	27/07/2017 Delegated to Planning Officer
Location:	28 Salutory MountFore StreetHeavitreeExeterDevonEX1 2QE		
Proposal:	Front Garden: T1 T2 Conifers, Fell. Rear Garden: T3 Sycamore, fell; T4 Beech, fell; T5 T6 Conifers, fell; T7 Eucalyptus, Fell; T8 Bay, reduce		
Application Number:	17/1064/CAT	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	27/07/2017 Delegated to Planning Officer
Location:	13 Livery Dole AlmshousesMagdalen RoadExeterEX2 5DT		
Proposal:	Leyland Cypress - fell		
Application Number:	17/1090/PD	Delegation Briefing:	
Decision Type:	Prior Approval	Decision Date:	22/08/2017 Delegated Decision
Location:	19 Roseland AvenueExeterDevonEX1 2TN		
Proposal:	Single storey rear extensionMaximum depth 5m Maximum height 3.15m Maximum height to eaves 3m		

Heavitree

Application Number:	17/1120/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Decision Date:	22/08/2017
			Delegated Decision

Location: 33 Wyndham Avenue Exeter Devon EX1 2PQ

Proposal: Rear dormer and rooflight on front elevation

Application Number:	17/1166/CAT	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	22/08/2017
			Delegated Decision

Location: 30 East Wonford Hill Exeter Devon EX1 3BZ

Proposal: T1 - Holly to be dismantled in sections to near ground level. Reason for Works: T1 - Holly the tree is getting large for the location and is becoming unmanageable with no future prospects.

Newtown And St Leonards

Application Number:	17/0324/FUL	Delegation Briefing:	16/03/2017	
Decision Type:	Refuse Plannin	Decision Date:	03/08/2017	Delegated Decision
Location:	8 Lyndhurst RoadExeterEX2 4PA			
Proposal:	Roof terrace at first floor level on front/side elevation			
Application Number:	17/0579/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	09/08/2017	Delegated Decision
Location:	27 Matford AvenueExeterDevonEX2 4PL			
Proposal:	Demolition of existing conservatory and construction of single storey rear extension.			
Application Number:	17/0937/TPO	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	16/08/2017	Delegated Decision
Location:	Buckerell Lodge HotelTopsham RoadExeterDevonEX2 4SQ			
Proposal:	Fell one large mature Evergreen Oak			
Application Number:	17/1003/CAT	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	01/08/2017	Delegated Decision
Location:	78 Magdalen RoadExeterDevonEX2 4TR			
Proposal:	T1 - Magnolia - Crown reduce by 2M; T2 - Cypress - Cut back branch from neighbours by 2M; T3 - Sweetgum - Crown reduce by 2M			
Application Number:	17/1025/CAT	Delegation Briefing:		
Decision Type:	Withdrawn by	Decision Date:	14/07/2017	Delegated to Planning Officer
Location:	11 Lyndhurst RoadExeterDevonEX2 4PA			
Proposal:	T1 Robinia: Fell, Ivy clad and in decline.			
Application Number:	17/1102/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	17/08/2017	Delegated Decision
Location:	37 Fleming WayExeterDevonEX2 4TP			
Proposal:	Single storey rear extension.			

Newtown And St Leonards

Application Number:	17/1105/CAT	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	31/07/2017 Delegated Decision
Location:	8 Clifton HillExeterDevonEX1 2DL		
Proposal:	T1 - Apple - Prune 1 branch.		
Application Number:	17/1210/DIS	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	01/08/2017 Delegated Decision
Location:	Land Adjacent To 16 Barnardo RoadExeterDevonEX2 4NE		
Proposal:	Discharge of Condition 3 (Materials) of planning application APP15/3141144 (15/0661/03).		
Application Number:	17/1229/ADV	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	18/08/2017 Delegated Decision
Location:	Burgoynes Estate Agents15 Barnfield RoadExeterDevonEX1 1RR		
Proposal:	1 no. post and panel sign.		
Application Number:	17/1235/NMA	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	10/08/2017 Delegated Decision
Location:	1 Matford AvenueExeterDevonEX2 4PP		
Proposal:	Non-material amendments sought to approved scheme (ref. 15/1185/03) to alter fenestration details, porch design and positioning, access steps and patio area.		

Pennsylvania

Application Number:	17/0764/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	18/08/2017	Delegated Decision
Location:	46 Union Road, Exeter, EX4 6HU			
Proposal:	Construction of single storey detached garage to rear of dwelling.			
Application Number:	17/0904/LPD	Delegation Briefing:		
Decision Type:	Was not lawfu	Decision Date:	25/07/2017	Delegated Decision
Location:	41 Lower Kings Avenue, Exeter, EX4 6JS			
Proposal:	Single storey rear lean-to extension to dwelling. Minor modifications to windows in existing dwelling.			

Pinhoe

Application Number:	16/1069/FUL	Delegation Briefing:	15/09/2016	
Decision Type:	Permitted	Decision Date:	19/07/2017	Delegated Decision
Location:	Former Ibstock Brickworks, Harrington Lane, Exeter, EX4 8DT			
Proposal:	Residential development comprising 28 dwellings (alterations to house types on 31 plots previously granted planning permission)			
Application Number:	17/0825/DIS	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	07/08/2017	Delegated Decision
Location:	Land Adj Pinhoe Hoard Public House, Pinhoe Road, Exeter, EX4 8EW			
Proposal:	Discharge of condition 4, 5, 6, 7, 10, 12, 17 and 24 of application 16/0318/03.			
Application Number:	17/0836/DIS	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	07/08/2017	Delegated Decision
Location:	Land Adj Pinhoe Hoard Public House, Pinhoe Road, Exeter, EX4 8EW			
Proposal:	Discharge of condition 3, 8 and 11 of planning application 16/0318/03			
Application Number:	17/0870/ADV	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	11/08/2017	Delegated Decision
Location:	Stratus House, Emperor Way, Exeter Business Park, Exeter, EX1 3QS			
Proposal:	An illuminated fascia sign, a non-illuminated nameplate and a non-illuminated opening hours sign			
Application Number:	17/0989/DIS	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	20/07/2017	Delegated Decision
Location:	Land To West Of, Pilton Lane, Exeter, EX1			
Proposal:	Discharge of condition 21 (Air Quality & Noise Impact Assessment) of application 14/1579/03			

Pinhoe

Application Number:	17/1066/DIS	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	16/08/2017
			Delegated Decision
Location:	11 Church HillExeterDevonEX4 9EX		
Proposal:	Discharge of condition 3 of Planning Permission Ref. 16/0937/03 granted on 02 September 2016 relating to proposed materials		

Priory

Application Number:	17/0548/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	16/08/2017	Delegated Decision
Location:	1 Southbrook Road, Exeter, EX2 6JA			
Proposal:	Extensions and alterations			
Application Number:	17/0641/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	18/08/2017	Delegated Decision
Location:	9 Lethbridge Road, Exeter, EX2 5LE			
Proposal:	Construction of a single storey rear extension, 6 metres in length and 3.1 metres in width with an eaves height of 2.2 metres and a roof in natural slate.			
Application Number:	17/0801/FUL	Delegation Briefing:		
Decision Type:	Refuse Plannin	Decision Date:	17/08/2017	Delegated Decision
Location:	14 Mill Road, Exeter, EX2 6LH			
Proposal:	Single storey front extension			
Application Number:	17/0908/FUL	Delegation Briefing:	27/07/2017	
Decision Type:	Permitted	Decision Date:	11/08/2017	Delegated Decision
Location:	342 Topsham Road, Exeter, EX2 6HF			
Proposal:	Remodelling and expansion of existing bungalow to a two storey house.			
Application Number:	17/0930/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	11/08/2017	Delegated Decision
Location:	12 Mill RoadExeterDevonEX2 6LH			
Proposal:	Single storey extension			

Priory

Application Number:	17/0968/PD	Delegation Briefing:	
Decision Type:	Prior Approval	Decision Date:	02/08/2017 Delegated to Planning Officer
Location:	34 Hazel RoadExeterDevonEX2 6HN		
Proposal:	Single storey rear extension. Maximum depth 4.8 metres. Maximum height 3 metres. Height to eaves 3 metres.		
Application Number:	17/1047/FUL	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	11/08/2017 Delegated Decision
Location:	9 Silver Birch CloseExeterDevonEX2 6DF		
Proposal:	Single storey front and rear extensions		
Application Number:	17/1077/NMA	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	25/07/2017 Delegated Decision
Location:	Vehicle Maintenance Depot, King George V Playing Fields, Bridge Road, Exeter, EX2		
Proposal:	Non material amendment to reposition roller shutter door from NE end of front elevation to NE gable end		
Application Number:	17/1080/PD	Delegation Briefing:	
Decision Type:	Prior Approval	Decision Date:	17/08/2017 Delegated Decision
Location:	22 Hawthorn RoadExeterDevonEX2 6DZ		
Proposal:	Ground floor rear extensionMaximum Depth: 3.6 metresMaximum Height to Eaves: 2.25 metresMaximum Height: 3.097 metres		
Application Number:	17/1142/DIS	Delegation Briefing:	
Decision Type:	Permitted	Decision Date:	15/08/2017 Delegated Decision
Location:	Redrow HousePynes HillExeterDevonEX2 5AZ		
Proposal:	Discharge of condition 3 (permeable surface material) of pp. 17/0489/03 - Extension of existing office car park resulting in a net gain of 6 new parking spaces.		

Priory

Application Number:	17/1147/PD	Delegation Briefing:		
Decision Type:	Prior Approval	Decision Date:	15/08/2017	Delegated Decision
Location:	32 Rifford RoadExeterDevonEX2 5JT			
Proposal:	Single storey rear extension measuring 3.5M (L) x 5.5M (W) X 3.5M (H)			

St Davids

Application Number:	17/0713/FUL	Delegation Briefing:	22/06/2017	
Decision Type:	Permitted	Decision Date:	21/07/2017	Delegated Decision
Location:	Brittany HouseNew North RoadExeterDevonEX4 4EP			
Proposal:	Change of use of part of first floor from B1 to D1 for use as a support and treatment centre for individuals and families experiencing substance misuse.			
Application Number:	17/0729/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	07/08/2017	Delegated Decision
Location:	Linacre House, Southernhay Gardens, Exeter, EX1 1UG			
Proposal:	Conversion of part of the ground floor to form 2 apartments and gymnasium. Addition of 2 new apartments via a rooftop extension, along with elevation changes			
Application Number:	17/0783/LBC	Delegation Briefing:	22/06/2017	
Decision Type:	Permitted	Decision Date:	18/07/2017	Delegated Decision
Location:	Royal Clarence Hotel, Cathedral Yard, Exeter, EX1 1HD			
Proposal:	Retrospective application for post fire partial demolition works and stabilisation of remaining historic building fabric.			
Application Number:	17/0852/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	04/08/2017	Delegated Decision
Location:	22 Rivermead Road, Exeter, EX2 4RL			
Proposal:	Rear extension and replacement decking			
Application Number:	17/0874/RM	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	21/08/2017	Delegated Decision
Location:	23 Cathedral Yard, Exeter, EX1 1HB			
Proposal:	Discharge of Conditions 3, 6 and 7 of Application No. 15/1035/03			

St Davids

Application Number:	17/0939/ADV	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	11/08/2017	Delegated Decision
Location:	15 High Street, Exeter, EX4 3LH			
Proposal:	New fascia and projecting sign			
Application Number:	17/0951/ADV	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	11/08/2017	Delegated Decision
Location:	176 Fore Street, Exeter, EX4 3AX			
Proposal:	Replacement of old fascia and projecting signs with new - to match existing sizes.			
Application Number:	17/0953/ADV	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	11/08/2017	Delegated Decision
Location:	3 Eastgate, Exeter, EX1 1GB			
Proposal:	New Aluminium Fascia signage to replace existing with exact size and profile or existing finish to be aluminium powdercoated RAL 7021 Dark Grey with white acrylic internally illuminated lettering			
Application Number:	17/1019/CAT	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	17/08/2017	Delegated Decision
Location:	Colleton Lodge 10 Colleton Crescent Exeter Devon EX2 4DG			
Proposal:	T1: English Oak - withdrawn from application T2: Laburnum - Remove branch; T3: Yew - Cut Ivy and dead wood; T4: Luccombe Oak - withdrawn from application T5: Holly - Re-shape; T6: Yew - Cut back new growth to previous cuts T7: Holly - Cut back low branches to 3M over lawn; T8: Euonymous - Cut back low branches over lawn; T9: Acacia - Cut epicormic growth.			
Application Number:	17/1036/PD	Delegation Briefing:		
Decision Type:	Prior Approval	Decision Date:	07/08/2017	Delegated Decision
Location:	24 Cotfield Street Exeter Devon EX2 8EE			
Proposal:	Prior approval for larger single storey rear extension. Extending 6 metres in depth with a maximum height of 3.5 metres and height to eaves of 2.15 metres.			

St Loyes

Application Number: 17/1104/TPO Delegation Briefing:
Decision Type: Permitted Decision Date: 17/08/2017 Delegated Decision

Location: Tesco Stores LtdRussell WayExeterDevonEX2 7EZ

Proposal: Prune group of Ash trees up to 1.8m to improve visibility of superstore signage.

Application Number: 17/1121/TPO Delegation Briefing:
Decision Type: Refuse Plannin Decision Date: 17/08/2017 Delegated Decision

Location: 11 Clyst HeathExeterDevonEX2 7TA

Proposal: T1 (DTS811)PineBellT2 (DTS812)PineBell

Application Number: 17/1204/TPO Delegation Briefing:
Decision Type: Permitted Decision Date: 22/08/2017 Delegated Decision

Location: Wickes Building Supplies LtdEagle WayExeterDevonEX2 7HY

Proposal: Crown lifting, deadwood and ivy removal and formative pruning to 11 trees as per Tree Survey Report (BS5837:2012)

St Thomas

Application Number:	16/1517/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	18/07/2017	Delegated Decision
Location:	Wheatley Grange, Pocombe Bridge, Exeter, EX2 9SX			
Proposal:	2 storey rear extension			
Application Number:	17/0993/PD	Delegation Briefing:		
Decision Type:	Prior Approval	Decision Date:	15/08/2017	Delegated Decision
Location:	29 Wiltshire CloseExeterDevonEX4 1LU			
Proposal:	Prior notification for larger rear extension, extending 6 metres from rear elevation, height to eaves 2.4 metres, maximum height 3 metres.			
Application Number:	17/1009/CAT	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	27/07/2017	Delegated to Planning Officer
Location:	57A Cowick StreetExeterDevonEX4 1HR			
Proposal:	T1 - Cypress - Fell			
Application Number:	17/1016/PD	Delegation Briefing:		
Decision Type:	Prior Approval	Decision Date:	16/08/2017	Delegated Decision
Location:	45 Myrtle RoadExeterDevonEX4 1QA			
Proposal:	Single storey rear extension Maximum depth 5m Maximum height 3.2m Maximum height to eaves 2.9m			
Application Number:	17/1050/CAT	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	18/07/2017	Delegated Decision
Location:	14 Queens RoadExeterDevonEX2 9ER			
Proposal:	Felling of tree in front garden			

St Thomas

Application Number:	17/1146/PD	Delegation Briefing:		
Decision Type:	Prior Approval	Decision Date:	15/08/2017	Delegated Decision
Location:	47 Duckworth RoadExeterDevonEX2 9BP			
Proposal:	Single storey rear extension measuring 4.4M (L) x 1.6m (W) 3.5M (H)			

Topsham

Application Number:	17/0791/PD	Delegation Briefing:		
Decision Type:	Prior Approval	Decision Date:	26/07/2017	Delegated Decision
Location:	5 Retreat Road, Topsham, Exeter, EX3 0LF			
Proposal:	Single storey rear extension Maximum depth 3.825m Maximum height 3.425m Maximum height to eaves 2.25m			
Application Number:	17/0793/FUL	Delegation Briefing:	22/06/2017	
Decision Type:	Permitted	Decision Date:	26/07/2017	Delegated Decision
Location:	14 Majorfield RoadTopshamExeterDevonEX3 0ES			
Proposal:	First floor extension over existing garage. Reconfiguration of existing ground floor rear extension.			
Application Number:	17/0862/FUL	Delegation Briefing:	15/06/2017	
Decision Type:	Permitted	Decision Date:	21/08/2017	Committee Decision
Location:	Land Off, Exeter Road, Topsham, Exeter, EX3			
Proposal:	Reorientation of car park, revised landscaping and vehicle/pedestrian access to plots 23-28 amended to The Retreat Drive.			
Application Number:	17/0872/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	16/08/2017	Delegated Decision
Location:	32 Liberty Way, Exeter, EX2 7AS			
Proposal:	Single storey rear extension			
Application Number:	17/0873/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	16/08/2017	Delegated Decision
Location:	31 Liberty Way, Exeter, EX2 7AS			
Proposal:	Conservatory to rear			

Topsham

Application Number:	17/0888/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	11/08/2017	Delegated Decision
Location:	The Flat, 17 Fore Street, Topsham, Exeter, EX3 0HE			
Proposal:	Part change of use from retail (A1) to residential (C3).			
Application Number:	17/0892/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	16/08/2017	Delegated Decision
Location:	22 Liberty Way, Exeter, EX2 7AS			
Proposal:	Two storey rear extension			
Application Number:	17/0936/FUL	Delegation Briefing:	22/06/2017	
Decision Type:	Permitted	Decision Date:	14/07/2017	Delegated Decision
Location:	Little Enterprise, Globe Lane, Topsham, Exeter, EX3 0HA			
Proposal:	Loft conversion including front and rear dormers, replacement front extension, widening of access and pitched roof to garage (revised scheme)			
Application Number:	17/0986/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	04/08/2017	Delegated Decision
Location:	8 Old Rydon LeyExeterDevonEX2 7UA			
Proposal:	Removal of front centre pillar on garage to replace with double door			
Application Number:	17/1017/TPO	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	17/08/2017	Delegated Decision
Location:	4 Exeter RoadTopshamExeterDevonEX3 0LZ			
Proposal:	T1 - Cherry - Remove low branch due to excessive shading of lawn.			
Application Number:	17/1021/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	17/08/2017	Delegated Decision
Location:	Countess CrossRydon LaneExeterDevonEX2 7AW			
Proposal:	Single storey rear extension to garage to form utility room and playroom			

Topsham

Application Number:	17/1022/PD	Delegation Briefing:		
Decision Type:	Prior Approval	Decision Date:	21/08/2017	Delegated Decision
Location:	14 Greatwood TerraceTopshamExeterDevonEX3 0EB			
Proposal:	Ground floor rear extensionMaximum depth: 4 metresMaximum height: 3.8 metresMaximum height to eaves: 2.55 metres			
Application Number:	17/1063/CAT	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	17/08/2017	Delegated Decision
Location:	The NabFerry RoadTopshamExeterDevonEX3 0JW			
Proposal:	T1 Silver Birch - reduce in height by 30% and reshape lateral branches by 3-4 feet to leave a balanced form. Crown lift by 5 feet, especially over road			
Application Number:	17/1072/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	18/08/2017	Delegated Decision
Location:	4 Newcourt RoadTopshamExeterDevonEX3 0BT			
Proposal:	Front porch, remodelled side extension, new rear extension, relocation of existing conservatory and alterations to existing garage.			
Application Number:	17/1112/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	16/08/2017	Delegated Decision
Location:	23 Tappers CloseTopshamExeterDevonEX3 0DG			
Proposal:	Replacement conservatory at rear of terraced property.			
Application Number:	17/1154/CAT	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	17/08/2017	Delegated Decision
Location:	4 Clara PlaceTopshamExeterDevonEX3 0JR			
Proposal:	T1 - Cypress - Crown reduction.			

Total Number of Decisions Made

89

REPORT TO: PLANNING COMMITTEE**Date of Meeting: 4 SEPTEMBER 2017****Report of: City Development Manager****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 Three decisions have been received since the last report.

Applications 16/0963/03 and 16/1505//03 – Land bounded by Exeter Road and The Retreat Drive

Application Number 16/0963/03 – the application sought the construction of a B1 office building, access and associated infrastructure works; Application Number 16/1505/03 – the application sought the construction of 7 residential units (flats), access and associated infrastructure works.

The Inspector considered that the two main issues of both appeals were whether the proposals would harm the landscape setting of the city and the integrity of the strategic gap between Topsham; and specifically in relation to Appeal B, whether, if the conclusion in relation to the first main issue is that the landscape setting of the city were considered to be harmed by the proposed development, whether the lack of a five year housing supply, which the Council's most recent report accepts is the case, would have sufficient weight in relation to a scheme for seven residential units, to outweigh any harm identified in the first main issue.

He noted that the site is located within the Topsham Gap and that on the south west side of Exeter Road to the south of the M5 (i.e. Topsham side), the gap has almost disappeared, to the extent that development on the small and physically contained appeal site, either for residential or business use, would have no impact on the integrity of the gap. He stated that the proposed residential development would also be in keeping with the residential character which prevails along the south west side of Exeter Road and also considered that the proposed business use, in a three storey development, would not be out of scale with the M5 embankment and bridge deck forming its immediate backdrop.

In the Inspector's view, this leaves the appeal site insufficiently extensive and insufficiently distinctive to contribute meaningfully to the city's landscape setting or to the integrity of the strategic gap between Exeter and Topsham. He considered that the appeal site is conspicuous in its absence of Development designations which reflects the picture on the ground that it is a site which is not critical to the success of the landscape setting of the city or the integrity of the Topsham Gap.

For the reasons given above, the Inspector concluded that both appeals should be allowed.

Application Ref: 16/1379/03 – 35 Sylvan Road

The application sought a detached dwelling house in the rear garden. The case officer's recommendation for approval reflected Devon County Council's support of the proposed scheme on highway safety grounds. The main issue of the planning proposal then was the

adverse impact upon highway safety – this was the principal reason for refusal in the Council's decision and this was echoed as the main issue by the Inspector in determining the appeal.

The Inspector recognised that the access lane is very narrow in profile and although it can accommodate small vans and domestic vehicles and is likely used sporadically by existing residents it could not accommodate both a vehicle and a pedestrian at the same time and that it is not suitable for regular daily usage. The access lane would be the primary and only means of access to the new dwelling and so the use of the lane would increase significantly if the development went ahead. The awkward geometry of the junction between the access lane and Sylvan Road and the poor visibility (when looking left and right upon exiting onto the highway) was considered to be sub-standard in failing to achieve that set out for 25mph roads in the *Manual for Streets*. The potential for inter-modal conflict is compounded by existing boundary treatments of each property flanking the access lane (31a and 33 Sylvan Road) – the potential hazard posed to pedestrians was seen as problematic. Whilst the Inspector also took account of examples of other sub-standard highway accesses in the locality none of these shared the same set of characteristics of the proposed access lane and junction onto Sylvan Road.

The adverse impact upon highway safety associated with the proposed development was considered to outweigh the benefits of adding a single dwelling unit to the local housing stock and the appeal dismissed.

Application 16/0825/03 – The Villa, Cowick Lane, Exeter

The development proposed was one detached house.

In dismissing this appeal the Inspector considered the main issue would be the effect of the proposed development on the setting of nearby listed heritage assets. The site is located in the rear garden of a large detached Grade II listed building which has been sub-divided into five self-contained flats. Other residential properties nearby are mostly screened by mature trees and shrubs along the three boundaries of the rear garden. The Villa is a late 18th century detached dwelling which still retains a large garden being the last remaining element of the original designed setting which enhances the imposing nature of the principal elevation. The Inspector notes that Policy C2 of the Local Plan requires development which affects a listed building to have special regard to the desirability of preserving the building, its setting or any features of special interest. The works proposed are not moderate – subdividing the garden and erecting a new dwelling in close proximity to the Villa. This would irretrievably damage the setting, separate the main dwelling from the listed boundary wall and be harmful to the setting and significance of this heritage asset. The Inspector concluded that the proposal would result in substantial harm to the setting and significance of the Villa and its boundary wall and, as such, would be contrary to LP Policy C2 as well as the guidance set out in the Framework.

4. New Appeals:

4.1 One new appeal has been received since the last report.

Application Ref: 17/0886/FUL – 11 Medley Court, EX4 2QN

The application sought a single storey conservatory lean-to.

CITY DEVELOPMENT MANAGER

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. Tel: 01392 265275