

## PLANNING

Date: Monday 11 February 2019  
Time: 5.30 pm  
Venue: Rennes Room, Civic Centre, Paris Street, Exeter

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

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

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

### *Membership -*

Councillors Sutton (Chair), Lyons (Deputy Chair), Bialyk, Branston, Edwards, Foale, Harvey, Mrs Henson, Morse, Prowse, Sheldon, Thompson and Vizard M

## 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 approve and sign the minutes of the meeting held on 7 January 2019.

(Pages 5 -  
10)

#### 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 10 am on the Thursday before the meeting (full details available on request from the Democratic Services Officer).**

#### 5 **Planning Application No. 18/0878/ECC - Land between 106 Hamlin Gardens and 65 Carlyon Gardens, Hamlin Lane**

To consider the report of the City Development Manager. (Pages 11 - 22)

#### 6 **Planning Application No. 18/1669/FUL - Land rear of Orchard Lea, Pinn Lane**

To consider the report of the City Development Manager. (Pages 23 - 32)

#### 7 **List of Decisions Made and Withdrawn Applications**

To consider the report of the City Development Manager. (Pages 33 - 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 5 March 2019 at 9.30 a.m. The Councillors attending will be Foale, Vizard and Branston.

#### **Date of Next Meeting**

The next scheduled meeting of the Planning Committee will be held on **Monday 18 March 2019** at 5.30 pm in the Civic Centre.

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## PLANNING COMMITTEE

Monday 7 January 2019

### Present:-

Councillor Sutton (Chair)

Councillors Lyons, Bialyk, Branston, Edwards, Foale, Harvey, Morse, Prowse, Sheldon, Thompson and Vizard M

### Apologies

Councillors Mrs Henson

### Also Present

Assistant City Development Manager, Project Officer (Planning) (LD) and Democratic Services Officer

1

### MINUTES

The minutes of the meeting held on 3 December 2018 were taken as read, approved and signed by the Chair as correct.

2

### DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

3

### PLANNING APPLICATION NO. 18/1641/FUL - CLOCK TOWER HOTEL, NEW NORTH ROAD

The Assistant City Development Manager presented the application for the change of use and conversion from a hotel (Use Class C1) to boarding accommodation associated with Exeter College (Use Class C2). It would accommodate between 22 and 25 students and two wardens. There would be a warden on shift at the property 24 hours a day (two wardens sharing shifts).

The Assistant City Development Manager reported that three late letters of objection had been received largely covering matters relevant to a proposed management plan including the age limit of occupants, arrangements for visitors, use of the garden area and general disturbance. He also advised that the property already had planning permission for a three storey extension and, in response to a Member, confirmed that it could still be implemented by a new occupier. He also stated that a fire report had been received confirming that the property was suitable for the proposed use with minor modifications.

Responding to further Member queries, the Assistant City Development Manager stated that residents of the proposed boarding school would typically be aged 16-18, who, at weekends and during the holidays, would return to their family homes and that the age range would be stipulated within the management agreement. The college were in loco parentis, acting as parents and guardians, and the property would be Ofsted inspected. The management plan would impose a strict curfew, registering with the resident warden throughout the day, agreeing visitors with the accommodation officer, and a sign out procedure for leaving the accommodation between 7pm and 10pm. On this basis, conduct would be

controlled and students would not contribute to late night noise and anti-social behaviour. The applicant would need to enter into a legal agreement to secure this management scheme which would also cover use and occupation out of term time. On the basis of the care provided, and the age of the occupiers, the Council was satisfied that the proposal met the C2 use.

Councillor Mitchell, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- this is another application which will greatly impact on the character of the St. James neighbourhood in spite of the St. James Neighbourhood Plan, the aim of which is to maintain a balanced community. The Plan has been consistently given little weight and/or ignored since its adoption in 2013;
- before the adoption of the Plan, the number of Council tax exemptions was 760 which has risen to 910 in 2018;
- although Councillors have been quoted as seeking to ensure that the area does not become a student village, planning decisions have shown that not enough regard has been given to the Plan;
- the College references to the proposal being beneficial to the City in economic terms and to its excellent reputation are not planning considerations;
- no reference is made to national living standards;
- boarding schools are normally located within a School/College campus and, as the College is reluctant to agree an age limit, the impact of student occupation will be greater than that of a House in Multiple Occupation (HMO);
- the 2001 census showed that the number of under 25's living in St. James was the highest in the City and has subsequently increased;
- previous planning decisions including that in respect of conversion of Braeside support refusal of this application; and
- with reference to previous planning decisions, previous planning appeal decisions and the Article 4 Direction, the contrary nature of the proposal to Local Plan Policy H5 and Neighbourhood Plan Policy SD3 and in support of the overarching aim of the St James Neighbourhood Plan, the application should be rejected.

Councillor Owen, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- reference to the local and national reputation of Exeter College and the origin and current living arrangements of students are not material planning considerations;
- the proposal is contrary to planning policy, particularly the St. James Neighbourhood Plan, which seeks to create a balanced community by increasing permanent, full time residents. Boarding school students will be temporary, part time residents with no investment or commitment to the community. Exeter has a housing shortage and this property should be used to provide homes for local residents and their families;
- there are seven children living in the five properties adjacent to the hotel, with an eight child family to the rear in an Elm Gove Road property, all of whom are likely to be disturbed by noise etc. from the 25 plus student occupants;
- further clarification of the proposed management plan is necessary. It should cover the extension of the on-campus no smoking policy to the premises, clearly set out curfew times including both the building and garden, commit to a two warden support regime for the long term future and set out strict arrangements in respect of visitors. The arrangements for occupation out of term time should also be clearly stipulated. If these cannot be established to

the satisfaction of ward Councillors and residents, the application should be deferred;

- the unavailability of the Fire Officer's report is also grounds for deferral;
- amenity space for 25 students is inadequate and the shoehorning of students will impact adversely on their quality of life. Facilities should match those provided in Unite residences;
- clarification on the number of students who will be over 18 years of age is necessary;
- parking arrangements are unclear as, whilst the original College statement was that there would be no parking permits provided, the latest proposal indicates that permits will be available for the wardens and, possibly, for students with disabilities; and
- alternative interest such as for residential property has been shown.

Mrs Jobson spoke against the application. She raised the following points:-

- this proposal is contrary to the St. James Neighbourhood Plan, the overriding objective of the Plan being to seek better community balance as some parts of the Ward are at a tipping point and may lose many more permanent residents. The St. James area needs to increase the percentage of residents who will invest for the long term;
- application should be rejected on basis of Policy H5 of the Local Plan Review as well as Policy C1 of the Neighbourhood Plan as it would increase the imbalance in the local community;
- the Forum also objected to an earlier proposal, the City Council also being of the view that there was insufficient justification for a departure from the adopted Exeter St James Neighbourhood Plan and an appeal against a refusal was withdrawn;
- this application is for a property in multiple occupation by unconnected persons and is contemptuous of the Neighbourhood Plan and the residents of St. James who worked on the Plan for it to be part of Exeter's Planning Policy guidelines;
- the application is inchoate, incomplete and muddled. The College submitted late documents lacking relevant details which have significant implications for the local amenity. The fire report also arrived late;
- given the level of objection from the immediate neighbours the application should be deferred to enable familiarisation with the new documentation and to seek further consultation with the applicant on the management plan and fire safety requirements as well as detail on how the applicant will comply with statutory obligations to protect vulnerable children; and
- the Braeside appeal decision stated that a proposal for occupation by students will have a harmful effect upon the balance of property uses within the locality which runs contrary to the overall thrust of the Local Plan.

Ms Davis spoke in support of the application. She raised the following points:-

- representing WYG planning consultants;
- the College, although not required to provide a management plan, has submitted a bespoke plan relevant to the requirements of the property and with regard to the needs and concerns of the community;
- no intention to utilise the existing planning permission relating to a three storey extension;
- the proposal complied with the St. James Neighbourhood Plan which seeks to improve the identified social imbalance of the 19-25 cohort in the immediate area as the scheme is mainly targeted at the 16-18 years cohort. It is estimated that over 90% of the students would be under 18 years of age;

- 24 hour supervision will be provided for the students as they will be under 18, through on-site wardens and the proposition is Ofsted registered. This will also ensure proper safeguarding measures are in place as well as protecting local residential amenity;
- the management incorporates some flexibility with regard to parking arrangements should it be necessary to cater for any students with disabilities; and
- a Fire Safety Audit concludes that the building and the proposed use as boarding accommodation (use class C2) meets all fire regulations and is further mitigated through 24 hour warden supervision.

A member moved and two Members seconded deferral of the application for further consideration of some of the issues raised. The deferral was put to the vote and lost.

The recommendation was for approval, subject to the conditions as set out in the report.

Some Members did not support the recommendation, one seeking further information on the operation of the boarding school and expressing concern that community views had not been fully taken into consideration, another referring to general traffic issues in the area. Other Members were supportive of the application and felt that concerns referred to would be addressed by the management plan and were also satisfied that the recommendations of the fire officer would be taken on board. Cognisance was taken of the St. James Neighbourhood Plan and of the concerns regarding community balance and it was stated that a previous application for a HMO had been refused. Given the 16-18 age group cohort differing from that of 18 plus independent student living in shared residences and the Ofsted inspection regime, one Member was satisfied, on balance, that the proposal should be supported.

**RESOLVED** that, subject to the completion of a Section 106 Agreement/Unilateral Undertaking under the Town and Country Planning Act 1990 to ensure the student accommodation would only be for use by students of Exeter College and securing a student management scheme, planning permission for the change of use and conversion from a hotel (Use Class C1) to boarding accommodation associated with Exeter College (Use Class C2) be **APPROVED**, subject also to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.
- (2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 09 November 2018 (including proposed floor plans) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- (3) Prior to commencement of the development, details shall be submitted to the Local Planning Authority of secure cycle parking provision for the development. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to



occupation the cycle parking shall be provided in accordance with the submitted details.

**Reason:** To provide adequate facilities for sustainable transport.

- (4) The use hereby permitted shall be carried on only by Exeter College and shall cease at such time as the aforementioned College cease to occupy the site.

**Reason:** The proposed use is only acceptable due to the specific needs of Exeter College with a suitable management plan, and to enable the Local Planning Authority to retain control over the use.

4 **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

The report of the City Development Manager was submitted.

**RESOLVED** that the report be noted.

5 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

6 **SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 29 January 2019 at 9.30 a.m. The Councillors attending will be Bialyk, Prowse and Morse.

(The meeting commenced at 5.30 pm and closed at 6.44 pm)

Chair

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# Agenda Item 5

**COMMITTEE DATE:** 11/02/2019

**APPLICATION NO:** 18/0878/ECC

**APPLICANT:** Exeter City Council

**PROPOSAL:** Construction of new apartment building (21 apartments) and associated landscaping, changes to highways and parking.

**LOCATION:** Land Between 106 Hamlin Gardens And 65 Carlyon Gardens  
Hamlin Gardens, Exeter

**REGISTRATION DATE:** 06/06/2018

**EXPIRY DATE:**

## **HISTORY OF SITE**

13/4528/16 - Erection of 5 new 3 Bed 4 Person terraced houses and associated access and parking. Approved 29/11/2013.

## **DESCRIPTION OF SITE/PROPOSAL**

The application site comprises existing highway (including on-street parking spaces), and residual open space/landscaping. The site covers an area of land of approx. 1800 m<sup>2</sup> and it is situated between the existing flats and the small watercourse running alongside Hamlin Lane Playing Fields on the north-east boundary of the site.

Full planning permission is sought for the redevelopment of the existing parking facilities on the site with a 4 storey block of apartments comprising 11 2-bed apartments and 10 1-bed apartments with associated parking (21 spaces), refuse storage and communal amenity space.

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

The following documents have been submitted in support of the application –

- Design and Access Statement
- Preliminary Ecological Appraisal
- Flood Risk Assessment
- Arboricultural Impact Assessment and Arboricultural Method Statement
- Framework Travel Plan
- Demolition Design Information
- Geotechnical and Geo-Environmental Assessment

## **REPRESENTATIONS**

4 Letters of objection to the proposal have been received raising the following matters –

- Impact of loss of existing parking facilities on the value of existing properties in the locality

- Loss of parking will exacerbate existing parking problems in the area as it is well used, including by those attending to give care to existing residents in the locality.
- Increased traffic and associated impact on safety locally
- Disruption during construction, i.e. noise and dust, and impact on health of existing residents
- Impact on wildlife
- Loss of views of landscaping and open space
- Overbearing building
- Overdevelopment – previous proposal was for only 5 houses
- General adverse impact on amenity/environment for occupants of existing properties in locality.

## **CONSULTATIONS**

**Police ALO** – Highlights high levels of vehicle related crime locally (damage to and theft from) and anti-social behaviour problems. Comments on aspects of design from security perspective, including cycle storage facilities, bin store design, defensible space, boundary treatments, potential conflict between users associated with parking spaces, lighting and planting maintenance from a security and natural surveillance perspective.

**SWW** - Confirm water supply available to serve the development. State foul drainage only to be connected to public foul or combined sewer, and that surface water should discharge as high up hierarchy of drainage options as is reasonably practicable.

**Environmental Health** – No objection in principle – recommends conditions relating to Construction Environment Management Plan (CEMP) and contaminated land.

**County Head of Planning, Transportation and Environment (Highways)** – Comments as follows and recommends conditions relating to Travel Plan, provision of parking facilities prior to occupation and pedestrian access –

“Hamlin Gardens estate sits on the W4012 Road off Hamlin Lane in a 20mph speed limit. The existing car park to be built on could well be seen as a reduction of car parking, however there are no parking restrictions upon the road of Hamlin Gardens and the remaining existing car park space will be providing car parking for the residents of the proposed 21 dwellings of a ratio of 1 space per flat which is roughly in line with Exeter City Councils residential supplementary planning document. This is in addition to a cycle parking space each. The area is in close proximity to the nearby railway stop together with the bus route which loops this estate, I would however recommend that discussions are made between the applicant and Stagecoach to ensure the increased parking on Hamlin Gardens Road does not interrupt the swept path of the bus service along here, which could put the route at risk all together. The shared surface carriageway needs to be distinguishable from the existing road with a transfer material or colour change. The raised traffic calming measure also needs be clear if it is or is not to act as a crossing point. S38 discussions will need to be held with the County Highway Authority. The visibility at this site is acceptable with a visibility splay of 25m required for a 20mph speed road. The footpath to the south of

the site leads to Carlyon Close, this access needs to be maintained with dropped kerbs to ensure access is maintained to all.”

**Devon County Council (Lead Local Flood Authority)** – Following initial comments regarding the proposed surface water drainage proposals which required greater clarification further discussions regarding the approach to surface water drainage have taken place and an agreed storage capacity and discharge rate for the surface water has been agreed with DCC as the Lead Local Flood Authority. Consequently they have confirmed no objection in principle to the proposal and have recommended conditions in relation to the surface water management scheme.

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance

NPPF - National Planning Policy Framework.

Exeter Local Development Framework Core Strategy

CP1 - The Spatial Approach

CP3 - Housing Distribution

CP4 - Density

CP5 - Meeting Housing Needs

CP7 - Affordable Housing

CP9 - Transport

CP11 - Pollution and Air Quality

CP15 - Sustainable Construction

CP16 - Green Infrastructure

CP17 - Design and Local Distinctiveness

CP18 - Infrastructure

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development

AP2 - Sequential Approach

H1 - Search Sequence

H2 - Location Priorities

H6 - Affordable Housing

H7 - Housing for Disabled People

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T10 - Car Parking Standards

EN2 - Contaminated Land

DG1 - Objectives of Urban Design

DG2 - Energy Conservation

DG4 - Residential Layout and Amenity

DG6 - Vehicle Circulation and Car Parking in Residential Development

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

DD8 - Housing on Unallocated Sites

DD9 - Accessibility, Adoptable and Wheelchair User Dwellings

DD13 - Residential Amenity

DD20 - Sustainable Movement

DD21 – Parking

DD25 - Design Principles

DD26 - Designing Out Crime

DD30 - Green Infrastructure

DD31 - Biodiversity

DD34 - Pollution

Exeter City Council Supplementary Planning Document

Residential Design Guide (adopted September 2010)

Planning Obligations

Public Open Space

Trees in Relation to Development

Archaeology and Development

Sustainable Transport

## **OBSERVATIONS**

The main considerations in respect of this proposal are compliance with relevant national and local planning policy, relationship to surrounding properties, visual impact, and the highway/transportation impact.

The proposal would assist in the provision of a wide choice of quality homes within the Exeter area, and assist in terms of the provision of much needed affordable housing. The building has been designed to a high standard in terms of energy efficiency that would significantly exceed the minimum requirements of the building regulations.

The Council has set minimum recommended standards in terms of both external and internal amenity space in the Residential Design SPD. This proposal comprises a mix of one and two bedroom flats/apartments. On the basis that the 2 bed units are designed for occupation by a maximum of 3 people these units slightly exceed the minimum internal space standard of 61m<sup>2</sup>. The one bed units are marginally below the advised space standard (48.8m<sup>2</sup> as opposed to 50m<sup>2</sup>) however notwithstanding this the internal layouts are efficient and provide living spaces and bedrooms of appropriate sizes as set out in the Residential Design SPD. Consequently they are considered to provide an acceptable standard of residential amenity in this case

The site is fairly narrow in terms of its depth and consequently the communal amenity space to the rear of the building (and north facing surrounded by trees) is below the minimum recommendation in the Residential Design SPD of 20m<sup>2</sup>/flat. However, all the flats above the ground floor level are provided with balconies that exceed the minimum size advocated in the design guide. In the context of an aspiration to increase densities, particularly within the urban area, and to deliver an economically viable highly energy efficient scheme the provision of slightly larger balconies providing private amenity space is considered to ameliorate the under

provision of ground floor communal amenity space. Also relevant to this conclusion is the proximity of the site to a large existing public open immediately to the north of the site.

The proposed building extends to 4 storeys in height (one storey higher than the existing adjoining blocks of flats). The separation distances between the proposed and existing flats at the closest points are less than the separation distance that would normally be sought as standard back to back distances between dwellings. Although it is acknowledged that the existing flats are located at an angle to the proposed building and therefore in terms of intervisibility the relationship isn't a direct one. Furthermore the majority of windows facing towards the existing properties are bedroom, bathroom or stairwell windows rather than the main living room windows. In this context, and the need to increase density on brownfield urban sites, the inter-relationship in terms of privacy/intervisibility is on balance considered acceptable.

Another important aspect of the relationship to surrounding properties is the massing of the building and the proposed building is a storey higher than the existing flats opposite the site. However, it is situated to the NE of the existing flats and given the angled juxtaposition relative to each other the massing is on balance considered acceptable.

Externally the design of the building is different to the prevailing style of the Hamlin Gardens development within which the site is located. The external appearance of the proposal is to some extent influenced by the energy efficient design adopted for this development with smaller glazing on the southern facing elevation to help regulate solar gain. The ground floor has render finish with vertical timber cladding utilised on the upper floors of the central element framed by render on the 3 storey elements forming a bookend at either end of the building. There have been extensive negotiations with the applicant over the design, particularly with regard to the elevational treatment to try and break up the perceived massing of the building and revised drawings are awaited addressing this issue. These negotiations have also addressed the comments of the Police Architectural Liaison officer in the revised drawings.

The proposal will result in the loss of 24 parking spaces currently available to existing residents of the estate, whilst at the same time introducing an additional demand for parking associated with the proposed flats. As part of the development a total of 21 parking spaces will be provided to serve the development. The stretch of road in front of the proposed building would be a shared surface environment incorporating a turning head at the end.

The level of parking provision proposed is advocated as appropriate by the applicant on the basis of the sustainable location of the development close to both an existing bus service that runs through Hamlin Gardens and the nearby railway halt at Polsloe Bridge. The Highway Authority have raised no objection on highway grounds. The proposal incorporates an integral cycle store capable of accommodating 21 bicycles.

### Affordable Housing

For a development comprising 21 units a policy compliant level of affordable housing would equate to 7.35 units of which 70% (5.1 units) should be for social rent and 30% (2.205 units) as intermediate/shared ownership units. On grounds of viability the applicant is proposing a non-policy compliant affordable housing provision comprising 5 shared ownership units. Following negotiations a Viability Assessment has been submitted by the applicant to substantiate that policy compliant provision would not be financially viable. Officers have sought independent advice on this report which has concurred with the conclusion that a policy compliant level of affordable housing is not viable on the submitted scheme and that the level of provision advocated by the applicant is the maximum that is financially viable.

As background the previously approved scheme for 5 houses on this site (which forms part of the consideration in establishing a land value for the site) would not deliver any affordable housing as it would be below the threshold in terms of number of dwellings that triggers the requirement to provide affordable housing.

As demonstrated by examination of the scheme viability the proposed scheme for 21 apartments with a policy compliant provision of affordable housing would deliver a negative return. The level of affordable housing proposed (5 shared ownership units) generates a profit level that is substantially below that which developers would normally expect to justify taking a development forward. In fact, it would be unlikely that speculative developers would bring forward the current scheme on this basis and it is more likely that a scheme such as that previously approved which would deliver no affordable housing would be brought forward on the site.

Although the delivery of a scheme built to Passivhaus standards results in higher development costs than a scheme built to standard Building Regulation requirements, the subsequent sales value of the residential units is predicted to be higher reflecting their greater energy efficiency and lower running costs to occupants. Overall, in terms of viability appraisal in the context of affordable housing delivery as part of the scheme, it is considered that the two cancel each other out. Therefore a scheme constructed to standard Building Regulation requirements would be unlikely to generate a significantly greater profit, and thereby not facilitate a greater level of affordable housing provision. Consequently, in bringing this scheme forward on the basis of lower profit expectations not only is more energy efficient sustainable housing provided, which will contribute to helping address the Council's lack of 5yr housing supply, but 5 units of affordable housing will also be delivered. On this basis the level of affordable housing provision proposed is considered acceptable.

#### Ecology/landscape matters

This development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature of the development it has been concluded that an AA is required in relation to potential impact on the relevant SPA's. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with recreational activity of future occupants of the development. This impact will be mitigated in line with the South-east Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the CIL collected in respect of the development being allocated to funding the mitigation strategy.

In terms of impact on existing vegetation it is not considered that the proposal would have any significant adverse visual impact. No trees need to be felled to enable the development. However it is recommended that dead/dying Elms on the site boundary are felled.

The provision of integral bat/bird bricks within the fabric of the building in line could be secured via an appropriate condition.

#### Financial Considerations/S106

The proposal will be CIL liable and generate New Homes Bonus. A S106 Agreement will be required to secure the affordable housing provision.



## Conclusion

This proposal would help to meet the demand for additional housing within the city and contribute to meeting the shortfall in the Council's 5 year housing land supply. It is considered to represent sustainable development in terms of its general location and energy efficient design. On balance therefore it is concluded that the scheme is acceptable.

## **RECOMMENDATION**

**APPROVE** subject to completion of a S106 agreement in relation to affordable housing and the following conditions:-

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

**Reason:** To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 6th June, 9th August and 17th December 2018 (including dwg. nos. E1206-GSA-HG-DRG, E1206-GSA-HG-DRG-A-300 Rev C3, LL(0)HG400 Rev PT-07, E1206-GSA-HG-DR-A-1101 Rev C3, E1206-GSA-HG-DR-A-1102 Rev C3, E1206-GSA-HG-DR-A-1103 Rev C3, E1206-GSA-HG-DR-A-1104 Rev C3, E1206-GSA-HG-DRG-A-1201 Rev C3, E1206-GSA-HG-DRG-A-1202 Rev C3, E1206-GSA-HG-DRG-A-1210 Rev C1 and E1206-GSA-HG-DRG-A-1211 Rev C1) as modified by other conditions of this consent.

**Reason:** In order to ensure compliance with the approved drawings.

3) **Pre-commencement condition:** A Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and traffic routing, the effects of piling and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.

**Reason for pre-commencement condition:** In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.

4) **Pre-commencement Condition:** No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

**Reason for pre-commencement condition:** A plan needs to be demonstrated prior to the commencement of any works to ensure that surface water runoff from the construction site is

appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

5) **Pre-commencement condition:** - No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Hydrograph Storage Analysis (Winter Profile) at 2.5 l/s, HR Wallingford Greenfield Runoff Based On 0.165 ha and Drainage Layout 170501/AR/110 dated 28.08.2018.

**Reason for pre-commencement condition:** A detailed permanent surface water drainage management plan is required prior to commencement of any works to demonstrate that the plan fits within the site layout, manages surface water safely and does not increase flood risk downstream, and to ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

6) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.

**Reason:** To ensure that the materials conform with the visual amenity requirements of the area.

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

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

8) No part of the development hereby approved shall be brought into its intended use until the on-site parking facilities and access thereto, have been provided in accordance with the requirements of this permission. Thereafter the said facilities shall be retained for those purposes at all times.

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

9) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided as shown on drawing no. ...., and the cycle parking shall be maintained at all times thereafter.

**Reason:** To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.

10) The development shall be implemented in accordance with the approved remediation scheme (from South West Geotechnical Ltd Report No. 8851C, August 2018 Version 4) unless otherwise agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**Reason:** No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

11) 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 8am 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.

12) The development hereby approved shall be implemented in strict accordance with the assessment, recommendations and mitigation measures as set out in Section 4 of the Preliminary Ecological Appraisal prepared by Richard Green Ecology (version 1.0 dated May 2017) and submitted in support of the application.

**Reason:** To ensure that the development is carried out in a way that minimises the ecological impact and enhances the biodiversity interest of the site.

13) The development hereby approved shall be implemented in accordance with the provisions and recommendations contained within the submitted Framework Travel Plan dated May 2018 prepared by Trace Design Consultants Ltd (Project Ref 4291).

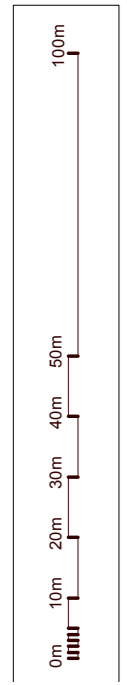
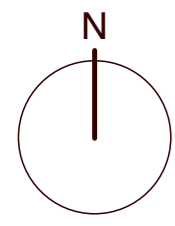
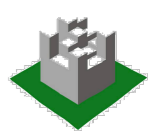
**Reason:** To encourage the adoption of sustainable modes of transport and minimise reliance on private motor vehicles.

*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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**COMMITTEE DATE:** 11/02/2019

**APPLICATION NO:** 18/1669/FUL  
**APPLICANT:** Mr And Mrs David And Cynthia Thompson  
**PROPOSAL:** Development of a 1.5-storey, single family, 3-bedroom dwellinghouse, with associated private amenity space, off-street parking and access via St Nicholas Close.  
**LOCATION:** Land Rear Of Orchard Lea, Pinn Lane, Exeter, EX1 3RG  
**REGISTRATION DATE:** 14/11/2018

**EXPIRY DATE:**

## **SITE HISTORY**

None relevant

## **DESCRIPTION OF SITE/PROPOSAL**

The site is a section of existing garden area which forms part of the domestic plot for Orchard Lea, a detached dwellinghouse on Pinn Lane. The site itself will be accessed via an existing right of way via St Nicholas Close which is to the rear of Orchard Lea and forms part of the wider Tithebarn development, forming part of the Monkerton, Hill Barton Redevelopment Area. The development is for a 1.5-storey, single family, 3-bedroom dwellinghouse, with associated private amenity space, off-street parking and access via St Nicholas Close.

## **REPRESENTATIONS**

Environmental Health and Licensing - Approval with conditions (construction/demolition hours) and an informative regarding considerate constructor conduct.

Devon County Council Highways – Raised no objections.

## **CONSULTATIONS**

5 letters of objection were received from local residents which raised the following concerns:

### **Highway issues**

- Highway access via St Nicholas Close, impact on pedestrian safety of the cul-de-sac during construction and once the dwelling is occupied
- Construction works during development creating noise, dirt and dust
- Damage and ongoing maintenance required during construction and thereafter, on the private access, St Nicholas Close

### **Impact on residential amenity**

- Impact of overshadowing and outlook from rear garden
- Impact on privacy from proposed south elevation windows

- Proximity to the existing dwellings
- Impacts on health and wellbeing during construction

#### **Impact on property and values**

- The neighbouring property would not have been purchased if there was an awareness of the intended works
- Impact on the value of existing property

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

#### **Central Government Guidance**

National Planning Policy Framework (NPPF)  
 Planning Practice Guidance (PPG)

#### **Exeter Local Development Framework Core Strategy**

CP3 – Housing  
 CP4 – Density  
 CP9 – Transport  
 CP17 – Design and local distinctiveness

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

DG1 – Objectives of Urban Design  
 DG4 – Residential Layout and Amenity  
 DG7 – Crime Prevention and Safety  
 T3 – Encouraging Use of Sustainable Modes

#### **Exeter City Council Supplementary Planning Document**

Residential Design SPD (Sept 2010)  
 Sustainable Transport SPD

#### **Exeter City Council Development Delivery DPD**

DD13 – Residential Amenity  
 DD25 – Design Principles  
 DD26 – Designing out Crime

### **OBSERVATIONS**

#### **Principle of the Development**

The site is portioned off from the existing Orchard Lea residential garden area, therefore the use remains unchanged. Furthermore, the site falls within the area identified for strategic development in the Exeter Core Strategy and the Monkerton and Hill Barton Masterplan Study. The Core Strategy states that around 2,500 houses should be built at Monkerton/Hill Barton. Outline Planning Permission was granted (ref: 12/0802/OUT) in May, 2012 for the development of up to 930 dwellings, link road, employment area (B1(a) use class), park and ride facility, local retail area and community facility, health and fitness centre, creche, public and private open space and car and cycle parking. The portion of the development (ref: 12/0802) which abuts the



application site has been substantially complete and is occupied. Thus, the principle of this development has been set.

### **Design**

The proposal is for a single dwellinghouse which will be positioned in the southern portion of the plot. The dwelling will be 'L' shaped where the longest stem is 1.5 stories high, with the floor above ground level is within the pitched roof, giving the appearance similar to a bungalow. The shorter stem of the proposed dwelling is a single storey projection towards the north of the plot. The dwellinghouse will be set in from the shared boundary by a minimum of 1.7m on all sides, and over 22m from the northern boundary. The applicant has indicated a combination of hard and soft landscaping surrounding the dwellinghouse, which includes a driveway and off street car parking provision and 265sqm private amenity space for occupiers. Due to the topography of the site, the proposed dwelling sits about half a storey below the properties on Titheburn Way.

The developer has indicated in the application form that the building will be finished with brick to match the surrounding development, with engineered dark brick base course, Marley Eternit concrete tile for the roof, aluminium grey door and window frames, with uPVC windows. The vehicular access and hard standing will be finished with compacted gravel. The proposed materials are acceptable, however a condition will be attached to any grant of planning permission requiring details of proposed materials to be submitted for approval, in order to ensure the development relates well to the existing community, in accordance with Policy CP17 of the Core Strategy (2012)

The proposed development is for a 1.5 storey dwelling with a pitched roof. It will be positioned about half a storey below and north of the properties fronting Titheburn Way. It will be set approximately 12m away from the nearest rear elevation of nos. 3 and 5 Titherbarn Way with no proposed habitable room windows in the south elevation. The property will be closest to the rear of no. 7 St Nicholas Close, which is a single aspect property with no first floor windows facing the rear. The development will be positioned away from the direct rear elevation of no. 32 St Nicholas Close and Orchard Lea, both which will experience oblique views of the proposed dwellinghouse.

### **Residential amenity**

The gross internal area of the application proposal exceeds the national space standards for the overall floor area, internal room sizes and storage space. The overall floor area for the proposed dwelling is 156sqm, which is 32sqm greater than the minimum gross internal floor area stipulated in the Technical Housing Standards – nationally described space standards (DCLG, 2015).

The proposed garden/amenity space is 265sqm, which is more than 5 times that required as a minimum in the Exeter Local Plan Policy DG4 and SPD which states that garden space requires a minimum size of 55sqm. The garden is positioned so as to allow the occupiers to 'feel at ease in their home and garden' (criterion b of Policy DG4). Views from no. 32 St Nicholas Close and Orchard Lea are towards the proposed garden area, however, the closest windows are set away about 6m and 11m respectively, from the shared boundary, and those neighbouring properties will be separated further by a 2m high timber, vertical tap fence (as existing).

The proposed dwellinghouse faces north-west, whilst the rear faces south-east and backs onto the rear gardens of nos. 1, 3 and 5 Titheburn Way. The Council received concern of overshadowing from a neighbouring occupier at Titheburn Way, however, due to the position of the proposed dwellinghouse north of those neighbouring properties, and considering the sun moves from east to west in a clockwise motion, it is considered that the existing homes will not experience any undue overshadowing as a result of the proposed development.

The properties at Tithebarn way are positioned south-east of the development and sit at a higher level due to the natural topography of the site. As such, some degree of overshadowing will be created for a significant portion of the day, until late afternoon as the sun sets in the west.

It is considered that this will not significantly affect any habitable rooms of the proposal for the following reasons: there are ground floor windows on the south-east elevation of the proposed dwellinghouse which, serve the open plan kitchen and utility room. The kitchen is open plan and part of the larger living, dining room area, however the primary outlook is towards the garden in the north-west, there will be full width, glazed, accordion patio doors. There are also two east facing and two west facing full height fixed windows which will serve to allow additional natural light into the property. On the floor above, there are two bathrooms with rooflights in the rear roof slopes which fact south-east. It is possible that this area of the property will experience overshadowing, however as the rooflights sit flush within the roofslope, as opposed to perpendicular to the ground, and furthermore being in the roof, it is considered that the any obstruction from natural light would be minimal. Furthermore these bathrooms are not considered habitable rooms and therefore have no requirement for natural light and outlook.

There are two bedrooms proposed on the north-west elevation which have views which face out over the proposed private garden area, and a third bedroom with a window in the east elevation, looking towards 7 St Nicholas Close. Although the proximity of this window is less than 4m away from the elevation of the neighbouring building, considering this is bedroom 3, which is of a reasonable double size (12sq.m), furthermore there are no windows in the west elevation of 7 St Nicholas Close. As such Officers are of the opinion that on balance the residential amenity of future occupiers would not be significantly compromised with regards to outlook, overshadowing and privacy.

The garden of no. 3 Tithebarn is centrally positioned along the rear elevation of the proposed dwellinghouse and will experience direct views of the proposal when complete. However, the closest rear elevation of no. 3 Tithebarn Way will be over 10m away from the shared boundary which will be separated by a 2m high timber fence and the proposed property is set another 2m away from the shared boundary. Furthermore, as mentioned above, the proposal sits lower than the properties at Tithebarn Way and is designed as a single storey with a deep pitched roof for the above ground accommodation, giving the appearance of a bungalow with a loft conversion.

As such, in response to the objection received, concerning the impact on views and privacy from windows on the south elevation of the proposal, the elevation which will be visible from the properties at Tithebarn way will slope away from those at Tithebarn Way, minimising the impact on visual obscurity. Furthermore, planning history (ref: 14/1090/RES) shows that two of the three, first floor, rear elevation windows on the properties at Tithebarn Way, serve bathrooms and the third serves a third bedroom. Furthermore, as the house is just 1.5 storeys, and set a significant distance away from the main rear elevation of the neighbouring dwellinghouses (11m+), it is considered that the development would not cause substantial harm to the residential amenity of neighbouring occupiers in terms of the impact on views overshadowing or overlooking.

### **Highways**

The site will be accessed via an existing access off St Nicholas Close, onto Tithebarn Way. The applicant proposes space which will accommodate two cars and although there is no cycle parking proposed, a condition will be attached to any grant of consent requiring further details for cycle parking to be submitted for approval. The application will therefore comply with the Council's Core strategy Policy CP9 and the Core Strategy Policy T3, and Sustainable Transport

SPD. Therefore the application conforms with policy with regard to access and supporting sustainable means of transport.

Concerns were raised with regard to highway safety for pedestrians however, Devon County Highways Authority have raised no objections to the proposal in this respect. The concerns raised by residents with regard to ownership and maintenance of the private road is a civil issue and therefore cannot be dealt with under planning control. However where concerns the points raised by neighbouring residents regarding noise, dirt, dust and disturbance as a result of the construction and vehicles visiting the site during development. Environment Health Officers raised no objections subject to a condition concerning construction works and proposed an informative urging the developers to conform with the considerate constructors code of conduct. For the reasons outlined above, it is considered that there are no impacts as a result of the development which would cause undue harm to the with regard to the use and operation of the highway.

### **Landscaping**

There are existing trees and shrubs on the site and applicant has indicated that the proposal will consist of a considerable garden area with some hardstanding for parking of cars. As such in order to mitigate any negative impact caused to existing trees of importance on the site a condition will be applied to any grant of planning permission requiring further details of planting plan and a condition to protect existing trees which will remain during and after construction. As such the application is considered acceptable in terms of landscaping.

### **RECOMMENDATION**

Concerns relating to material planning considerations have been addressed through revisions to the scheme or conditions on the decision notice.

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, it is considered that the proposal would be appropriate as there is clear justification as it would cause insignificant harm to the residential amenity of neighbouring occupiers. Accordingly, this application is recommended for APPROVAL subject to the following Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on date dwg. nos. 180042.THOMPSON.04PP A Rev. A-23.01.19, 180042.THOMPSON.05PP as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
3. 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.

4. Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.  
**Reason:** To ensure that the materials conform with the visual amenity requirements of the area.
5. A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no dwelling or building shall be occupied until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.  
**Reason:** To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
6. In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.  
**Reason:** To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
7. Pre-commencement condition: No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.  
**Reason for pre-commencement condition** - To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.
8. No individual dwelling hereby approved shall be brought into its intended use until secure cycle parking facilities for residents have been provided in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the said cycle parking facilities shall be retained for that purpose at all times.  
**Reason:** To ensure that cycle parking is provided, in accordance with Exeter Local Plan Policy T3.
9. Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 or any Order revoking and re enacting that Order, no extension, garages or

other development or alterations shall be carried out within the curtilage of the dwellings without the formal consent of the Local Planning Authority.

**Reason:** In order to protect the visual and residential amenities of the surrounding area and to prevent overdevelopment.

10. Before the development hereby approved is brought into use the proposed rooflights in the south roofslope of the property shall be glazed with obscure glass to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and thereafter so maintained. Furthermore, no new windows or other openings shall be inserted on the ground floor or roofslope of this elevation.

**Reason:** To protect the amenities of the adjoining property.

11. Before the development hereby approved is brought into use the proposed windows in the west elevation of the property shall be permanently fixed and glazed with obscure glass to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and thereafter so maintained. Furthermore, no new windows or other openings shall be inserted in the ground or first floor of this elevation.

**Reason:** To protect the amenities of the adjoining property.

## **INFORMATIVES**

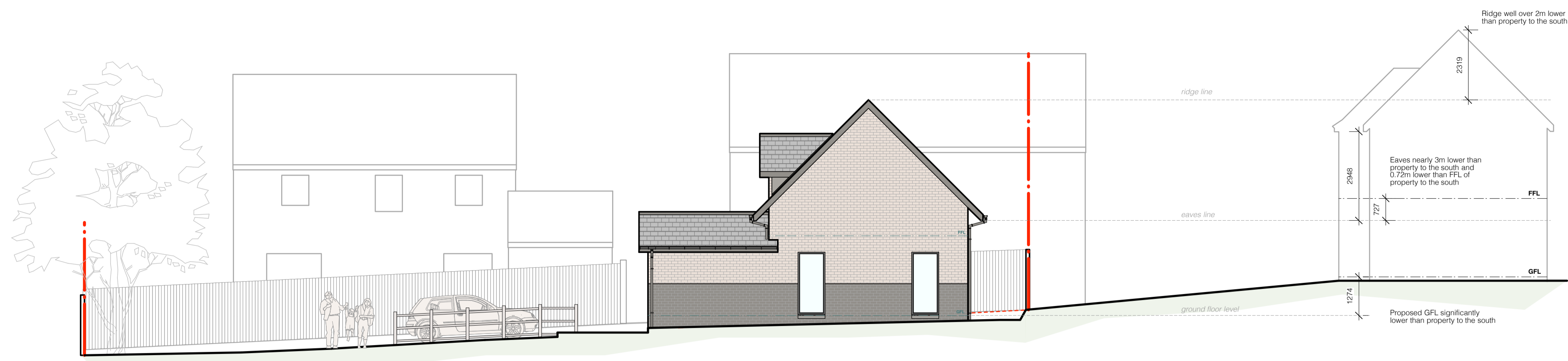
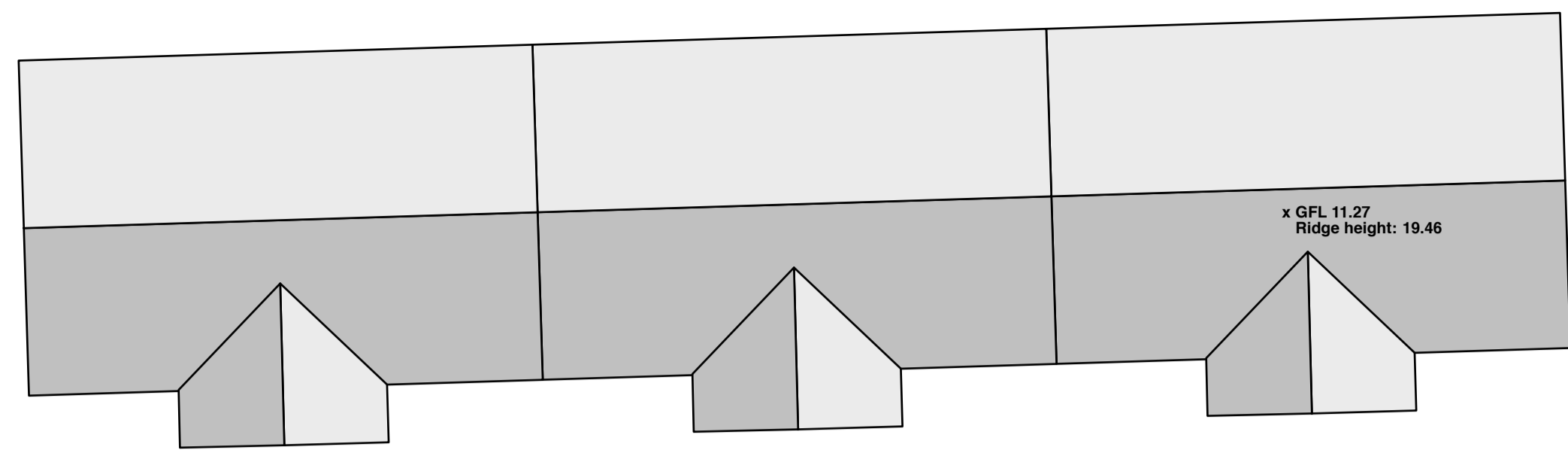
In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

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

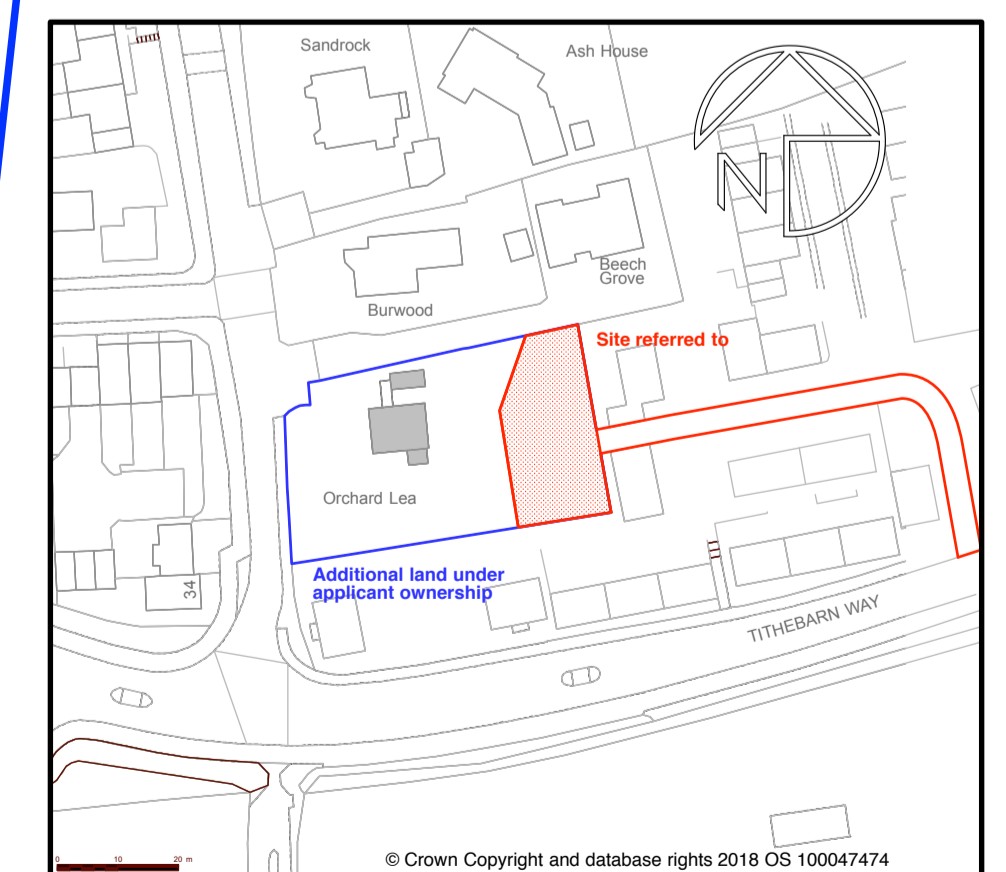
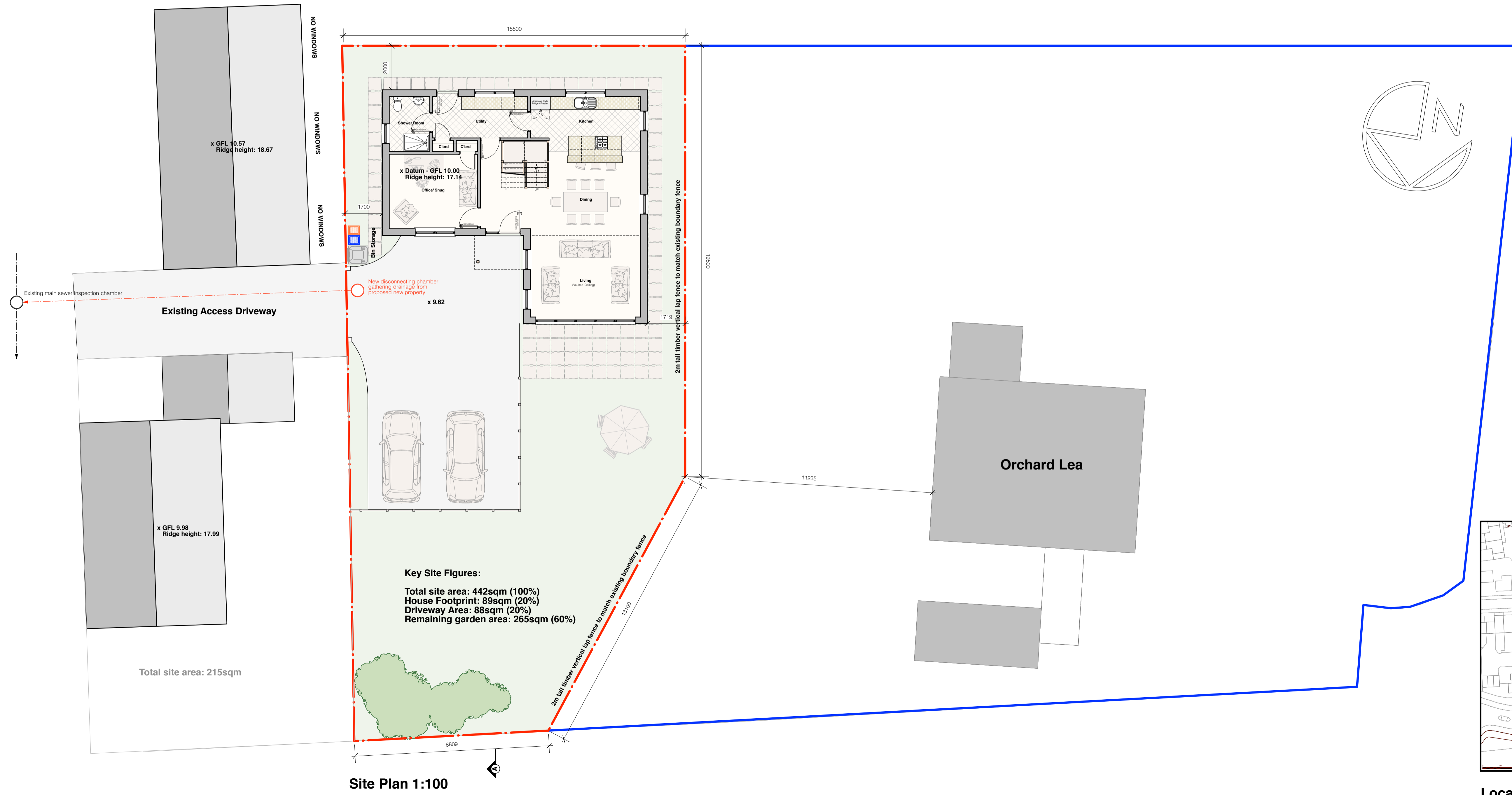
*Background papers used in compiling the report:*

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

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Section A-A 1:100



Location Plan 1:1250

Site Address:  
Orchard Lea, Pinn Lane, Pinhoe, Exeter, Devon, EX1 3RG

Drawing Title:  
Proposed Site Section, Location and Site Plan

Drawing No:  
180042.THOMPSON.05PP

Project Type:  
New Build

Revision No:

Paper Size:  
A1

Date:  
Nov 2018

Do not scale off drawings. No work to commence before appropriate approvals are granted. It is the contractor's responsibility to ensure possession of approved drawings. All sizes are to be checked confirmed on site prior to commencement of work/ordering of materials.

Client:  
Mr D and Mrs C Thompson

newspace  
ARCHITECTURE

a: Chants Cottage, Heath Cross, Whitestone, Exeter, Devon, EX4 2HN  
t: 01647 61558 m: 07517 490411  
e: info@newspacearchitecture.com  
w: www.newspacearchitecture.com

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**REPORT TO: PLANNING COMMITTEE**

**Date of Meeting: 11 FEBRUARY 2019**

**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 20/12/2018 and 31/01/2019

Alphington	
<b>Delegated Decision</b>	
Application Number:	18/0749/ADV
Delegation Briefing:	21/06/2018
Decision Type:	Permitted
Date:	21/12/2018
Location Address:	Vospers Motorhouse Ltd Matford Green Business Park Exeter
Proposal:	Illuminated external signage and freestanding signage for each dealership on this vospers site.
<b>Delegated Decision</b>	
Application Number:	18/0978/LBC
Delegation Briefing:	13/12/2018
Decision Type:	Permitted
Date:	11/01/2019
Location Address:	Franklyn House Franklyn Drive Exeter Devon EX2 9HS
Proposal:	Installation of Air Conditioning unit with associated internal and external alterations
<b>Delegated Decision</b>	
Application Number:	18/1118/FUL
Delegation Briefing:	22/11/2018
Decision Type:	Permitted
Date:	20/12/2018
Location Address:	2 Hollow Pits Court Exeter Devon EX2 8YG
Proposal:	Single storey rear extension and raised decking
<b>Delegated Decision</b>	
Application Number:	18/1141/ADV
Delegation Briefing:	
Decision Type:	Refuse Planning Permission
Date:	21/12/2018
Location Address:	Vospers Motorhouse Ltd Matford Green Business Park Exeter
Proposal:	Freestanding Pole Sign (Height 12.2 metres)
<b>Delegated Decision</b>	
Application Number:	18/1207/FUL
Delegation Briefing:	13/12/2018
Decision Type:	Permitted
Date:	11/01/2019
Location Address:	Franklyn House Franklyn Drive Exeter Devon EX2 9HS
Proposal:	Installation of air conditioning unit with associated internal and external alterations
<b>Delegated Decision</b>	
Application Number:	18/1296/FUL
Delegation Briefing:	06/12/2018
Decision Type:	Permitted
Date:	07/01/2019
Location Address:	10 Myrtle Close Exeter Devon EX2 8UX
Proposal:	Side extension, rear dormer, and rear decking area

<b>Delegated Decision</b>	
Application Number: 18/1464/FUL	Delegation Briefing: 13/12/2018
Decision Type: Permitted	Date: 11/01/2019
Location Address: Ide House Little Johns Cross Hill Exeter Devon EX2 9PL	
Proposal: Detached garage for domestic and garden maintenance vehicles.	
<b>Delegated Decision</b>	
Application Number: 18/1516/FUL	Delegation Briefing: 29/11/2018
Decision Type: Permitted	Date: 16/01/2019
Location Address: Unit 5 Alphington Park Ashton Road Marsh Barton Trading Estate Exeter Devon EX2 8AA	
Proposal: External alterations, external seating and new signage to restaurant.	
<b>Delegated Decision</b>	
Application Number: 18/1517/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 16/01/2019
Location Address: Unit 5 Alphington Park Ashton Road Marsh Barton Trading Estate Exeter Devon EX2 8AA	
Proposal: 1 No. Internally illuminated 'Nandos' 3D lettering in red fixed to shopfront fascia, 5100mm x 1010mm x 270mm. 1 No. Projecting roundal sign displaying Nando's Cockerel logo fixed to side elevation, 600mm x 600mm. 1 No. Enlarged Nando's cockerel logo fixed to living plant wall on side elevation, 2575mm x 1640mm.	
<b>Delegated Decision</b>	
Application Number: 18/1613/LPD	Delegation Briefing:
Decision Type: Was not lawful use	Date: 17/01/2019
Location Address: 27 Broadway Exeter Devon EX2 9LU	
Proposal: Rear extension, replacing existing structure	
<b>Delegated Decision</b>	
Application Number: 18/1688/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 08/01/2019
Location Address: 1 Colands Court Exeter Devon EX2 8YJ	
Proposal: Construction of new single storey side extension.	
<b>Delegated Decision</b>	
Application Number: 18/1692/FUL	Delegation Briefing: 22/11/2018
Decision Type: Refuse Planning Permission	Date: 28/01/2019
Location Address: 35A Ide Lane Alphington Exeter Devon EX2 8UR	
Proposal: Two storey extension	

<b>Delegated Decision</b>	
Application Number: 18/1807/FUL	Delegation Briefing: 20/12/2018
Decision Type: Permitted	Date: 21/01/2019
Location Address: 14 Smith Field Road Exeter Devon EX2 8YD	
Proposal: Rear and side single-storey extension.	
<b>Duryard And St James</b>	
<b>Delegated Decision</b>	
Application Number: 18/1314/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 08/01/2019
Location Address: 41 Sidwell Street Exeter Devon EX4 6NS	
Proposal: Advertising business premises, aluminium fascia panel with trough light illumination, cable display system within window area led illuminated.	
<b>Delegated Decision</b>	
Application Number: 18/1416/FUL	Delegation Briefing: 06/12/2018
Decision Type: Permitted	Date: 04/01/2019
Location Address: 10 Allington Mead Exeter Devon EX4 5AP	
Proposal: Enlargement of garage, rear extensions, new dormer, raised terrace and parking area.	
<b>Delegated Decision</b>	
Application Number: 18/1620/FUL	Delegation Briefing: 22/11/2018
Decision Type: Permitted	Date: 24/12/2018
Location Address: 15 Argyll Road Exeter Devon EX4 4RX	
Proposal: Extension to detached garage on front boundary to create elevated carport	
<b>Delegated Decision</b>	
Application Number: 18/1690/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 20/12/2018
Location Address: 19 Ridgeway Exeter Devon EX4 5AR	
Proposal: Non-material amendment sought on approved scheme (Ref. 17/1888/FUL) to increase roof height by 100mm and alter materials.	
<b>Delegated Decision</b>	
Application Number: 18/1726/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 29/01/2019
Location Address: 19-20 Howell Road Exeter Devon EX4 4LG	
Proposal: Fell - Ash	

<b>Delegated Decision</b>			
Application Number:	18/1758/FUL	Delegation Briefing:	20/12/2018
Decision Type:	Permitted	Date:	30/01/2019
Location Address:	72 Longbrook Street Exeter Devon EX4 6AP		
Proposal:	Creation of driveway and alterations to boundary wall		
<b>Delegated Decision</b>			
Application Number:	18/1759/LBC	Delegation Briefing:	20/12/2018
Decision Type:	Permitted	Date:	30/01/2019
Location Address:	72 Longbrook Street Exeter Devon EX4 6AP		
Proposal:	Creation of driveway and alterations to boundary wall.		
<b>Delegated Decision</b>			
Application Number:	18/1769/FUL	Delegation Briefing:	20/12/2018
Decision Type:	Permitted	Date:	29/01/2019
Location Address:	26 Velwell Road Exeter Devon EX4 4LD		
Proposal:	Alterations to rear extension		
<b>Delegated Decision</b>			
Application Number:	18/1824/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	30/01/2019
Location Address:	3 Wrentham Estate Old Tiverton Road Exeter Devon EX4 6ND		
Proposal:	Rear dormer loft conversion.		
<b>Delegated Decision</b>			
Application Number:	18/1825/LPD	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/01/2019
Location Address:	5 Wrentham Estate Old Tiverton Road Exeter Devon EX4 6ND		
Proposal:	Rear dormer loft conversion.		
<b>Delegated Decision</b>			
Application Number:	18/1826/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	30/01/2019
Location Address:	8 Wrentham Estate Old Tiverton Road Exeter Devon EX4 6ND		
Proposal:	Rear dormer loft conversion.		
<b>Delegated Decision</b>			
Application Number:	18/1830/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	14/01/2019
Location Address:	58 King Edward Street Exeter Devon EX4 4NY		
Proposal:	Rear extension extending a maximum 4.370m from rear elevation, height to eaves 2.5m and max. overall height 3m.		

<b>Delegated Decision</b>	
Application Number: 18/1847/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 03/01/2019
Location Address: 31-35 Old Tiverton Road Exeter Devon	
Proposal:	Discharge of condition 3 (Materials); 4 (Landscaping), 13 (Delivery Management Plan) and 14 (Swifts) of planning application 15/1275/FUL granted 13 May 2016

### Exwick

<b>Committee Decision</b>	
Application Number: 17/1788/OUT	Delegation Briefing: 21/12/2017
Decision Type: Permitted	Date: 07/01/2019
Location Address: Former Exwick Middle School Higher Exwick Hill EXETER EX4 2EF	
Proposal:	Outline application for Residential development with vehicular access from Gloucester Road via Higher Exwick Hill (All detailed matters relating to access, appearance, landscaping, layout and scale of development reserved for future consideration).

<b>Delegated Decision</b>	
Application Number: 17/1789/OUT	Delegation Briefing: 21/12/2017
Decision Type: Permitted	Date: 07/01/2019
Location Address: Former Foxhayes Infant School Gloucester Road Exeter EX4 2EE	
Proposal:	Outline application for Residential development with vehicular access from Gloucester Road (all detailed matters relating to appearance, landscaping, layout and scale of development reserved for future consideration)

### Heavitree

<b>Delegated Decision</b>	
Application Number: 18/1232/FUL	Delegation Briefing: 11/10/2018
Decision Type: Permitted	Date: 16/01/2019
Location Address: 30 East Wonford Hill Exeter Devon EX1 3BZ	
Proposal:	Demolition of existing single storey side extension and erection of replacement side extension to Grade II listed dwelling house.

<b>Delegated Decision</b>	
Application Number: 18/1233/LBC	Delegation Briefing: 11/10/2018
Decision Type: Permitted	Date: 16/01/2019
Location Address: 30 East Wonford Hill Exeter Devon EX1 3BZ	
Proposal:	Demolition of existing single storey side extension and erection of replacement side extension to Grade II listed dwelling house.

<b>Delegated Decision</b>			
Application Number:	18/1597/FUL	Delegation Briefing:	17/01/2019
Decision Type:	Withdrawn by Applicant	Date:	15/01/2019
Location Address:	54 Fore Street Heavitree Exeter Devon EX1 2RR		
Proposal:	New kitchen extract and landscape work including timber pergola		
<b>Delegated Decision</b>			
Application Number:	18/1598/LBC	Delegation Briefing:	17/01/2019
Decision Type:	Withdrawn by Applicant	Date:	15/01/2019
Location Address:	54 Fore Street Heavitree Exeter Devon EX1 2RR		
Proposal:	New kitchen extract and landscape work including timber pergola.		
<b>Delegated Decision</b>			
Application Number:	18/1707/FUL	Delegation Briefing:	13/12/2018
Decision Type:	Permitted	Date:	11/01/2019
Location Address:	1 Broom Close Exeter Devon EX2 5JF		
Proposal:	Ground floor rear and side extension		
<b>Delegated Decision</b>			
Application Number:	18/1739/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	17/01/2019
Location Address:	86 Park Road Exeter Devon EX1 2HT		
Proposal:	Use of property as house in multiple occupation for five people (certificate of lawfulness of existing use)		
<b>Delegated Decision</b>			
Application Number:	18/1753/FUL	Delegation Briefing:	20/12/2018
Decision Type:	Permitted	Date:	21/01/2019
Location Address:	9 Mont Le Grand Exeter Devon EX1 2PD		
Proposal:	Demolition of 2 detached double garages and construction of garage and carport		
<b>Delegated Decision</b>			
Application Number:	18/1764/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	08/01/2019
Location Address:	19 Roseland Avenue Exeter Devon EX1 2TN		
Proposal:	Single storey rear extension Maximum depth 5.3m Maximum height 3.3m Maximum height to eaves 3m		



<b>Delegated Decision</b>	
Application Number: 18/1784/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 07/01/2019
Location Address: 102 Whipton Lane Exeter Devon EX1 3DJ	
Proposal: Rear single-storey extension, extending a maximum 4m from rear elevation, height to eaves 2.5m and max. overall height 3.7m.	

<b>Delegated Decision</b>	
Application Number: 18/1815/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 30/01/2019
Location Address: 17 Whipton Lane Exeter Devon EX1 3DN	
Proposal: The creation of a new single storey extension with minor structural alterations. Drainage will connect to the existing surface water drains.	

### Mincinglake And Whipton

<b>Delegated Decision</b>	
Application Number: 18/1431/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 11/01/2019
Location Address: 6 Tristan Close Exeter Devon EX4 9BS	
Proposal: Single storey rear extension to provide a multi use room with small shower room and WC.	

### Newtown And St Leonards

<b>Delegated Decision</b>	
Application Number: 18/1237/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 29/01/2019
Location Address: 79 Heavitree Road Exeter Devon	
Proposal: Discharge of condition 3 of planning permission 17/0459/03 (approval of details of cycle parking provision).	

<b>Delegated Decision</b>	
Application Number: 18/1415/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 20/12/2018
Location Address: 25 Sandford Walk Exeter Devon EX1 2ES	
Proposal: Existing use HMO	

<b>Delegated Decision</b>	
Application Number: 18/1447/LBC	Delegation Briefing: 29/11/2018
Decision Type: Permitted	Date: 21/12/2018
Location Address: 66 Magdalen Road Exeter Devon EX2 4TN	
Proposal: Dormer window on rear elevation, demolition of existing rear extensions and construction of new extension	

<b>Delegated Decision</b>			
Application Number:	18/1482/LBC	Delegation Briefing:	29/11/2018
Decision Type:	Permitted	Date:	16/01/2019
Location Address:	20 Magdalen Road Exeter Devon EX2 4TD		
Proposal:	Replacement of four rear windows.		
<b>Delegated Decision</b>			
Application Number:	18/1600/FUL	Delegation Briefing:	13/12/2018
Decision Type:	Permitted	Date:	25/01/2019
Location Address:	5 St Leonards Road Exeter Devon EX2 4LA		
Proposal:	Demolish rear conservatory and bay window. Replacement rear single storey extension. Demolish outhouse and section of rear boundary wall. Replacement parking area and rear sliding gate. Replace rear and side windows on second floor.		
<b>Delegated Decision</b>			
Application Number:	18/1601/LBC	Delegation Briefing:	13/12/2018
Decision Type:	Permitted	Date:	25/01/2019
Location Address:	5 St Leonards Road Exeter Devon EX2 4LA		
Proposal:	Demolish rear conservatory and bay window. Replacement rear single storey extension. Demolish outhouse and section of rear boundary wall. Replacement parking area and rear sliding gate. Replace rear and side windows on second floor. Internal alterations. Replace garage door with door and window.		
<b>Delegated Decision</b>			
Application Number:	18/1603/FUL	Delegation Briefing:	29/11/2018
Decision Type:	Permitted	Date:	23/01/2019
Location Address:	12 Barnardo Road Exeter Devon EX2 4NE		
Proposal:	Replacement of existing garage with single storey side extension. Replacement aluminium windows and doors.		
<b>Delegated Decision</b>			
Application Number:	18/1605/FUL	Delegation Briefing:	13/12/2018
Decision Type:	Refuse Planning Permission	Date:	16/01/2019
Location Address:	Atlas House Victoria Park Road Exeter Devon EX2 4NU		
Proposal:	First floor extension for ancillary accommodation above garage		
<b>Delegated Decision</b>			
Application Number:	18/1694/FUL	Delegation Briefing:	29/11/2018
Decision Type:	Permitted	Date:	04/01/2019
Location Address:	13 Matford Avenue Exeter Devon EX2 4PW		
Proposal:	Part demolition of rear of house; two storey/single storey rear extension; widening of front boundary wall at entrance.		

<b>Delegated Decision</b>	
Application Number: 18/1713/LBC	Delegation Briefing: 13/12/2018
Decision Type: Permitted	Date: 14/01/2019
Location Address: 3 Ernsborough Court Fairpark Road Exeter Devon EX2 4HL	
Proposal: Replacement timber windows and doors.	
<b>Delegated Decision</b>	
Application Number: 18/1723/FUL	Delegation Briefing: 03/01/2019
Decision Type: Permitted	Date: 28/01/2019
Location Address: 5 The Lyndons Lyndhurst Road Exeter Devon EX2 4PT	
Proposal: Proposed first floor bedroom extension, with an integral covered parking area below.	
<b>Delegated Decision</b>	
Application Number: 18/1821/FUL	Delegation Briefing: 03/01/2019
Decision Type: Permitted	Date: 25/01/2019
Location Address: Newtown Community Association Gordon Road Exeter Devon EX1 2DH	
Proposal: Condenser units within external enclosed storage area	
<b>Delegated Decision</b>	
Application Number: 18/1836/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 20/12/2018
Location Address: 12 Gras Lawn Exeter Devon EX2 4RZ	
Proposal: Reduction in size of French Doors (non material amendment to 18/0807/FUL)	
<b>Pennsylvania</b>	
<b>Delegated Decision</b>	
Application Number: 18/1302/FUL	Delegation Briefing: 18/10/2018
Decision Type: Permitted	Date: 30/01/2019
Location Address: 13 Elizabeth Avenue Exeter Devon EX4 7EH	
Proposal: Two storey side extension and matching front dormer.	
<b>Delegated Decision</b>	
Application Number: 18/1712/LBC	Delegation Briefing: 20/12/2018
Decision Type: Permitted	Date: 11/01/2019
Location Address: 4F Pennsylvania Park Exeter Devon EX4 6HB	
Proposal: Two replacement velux windows	



<b>Delegated Decision</b>	
Application Number: 18/1238/DIS	Delegation Briefing:
Decision Type: Split Decision	Date: 29/01/2019
Location Address: Land West Of Cumberland Way Hollow Lane Exeter EX1 3RW	
Proposal:	Discharge conditions 3 (Staff Cycle Parking/Facilities), 4 (Construction Surface Water Drainage Scheme), 7 (Decentralised Energy Network Connections), 8 (BREEAM) and 11 (Tree Protection) of pp. 18/0221/FUL - Construction of care facility (66 beds) with associated means of access, access road, car parking, landscaping and associated infrastructure.
<b>Delegated Decision</b>	
Application Number: 18/1404/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 20/12/2018
Location Address: Beacon Rise Cottage Park Lane Exeter Devon EX4 9HR	
Proposal:	Rear extension to the property and alteration to vehicle access.
<b>Delegated Decision</b>	
Application Number: 18/1429/DIS	Delegation Briefing:
Decision Type: Split Decision	Date: 29/01/2019
Location Address: Land West Of Cumberland Way Hollow Lane Exeter EX1 3RW	
Proposal:	Discharge conditions 5 (Permanent Surface Water Drainage Scheme), 6 (Acoustic Design Statement), 13 (Materials), 14 (Building Details), 15 (Bird Nesting Provision), 16 (External Lighting), 17 (Detailed Landscaping Scheme), 18 (LEMP) and 19 (Travel Plan) of pp. 18/0221/FUL - Construction of care facility (66 beds) with associated means of access, access road, car parking, landscaping and associated infrastructure.
<b>Delegated Decision</b>	
Application Number: 18/1499/FUL	Delegation Briefing: 13/12/2018
Decision Type: Permitted	Date: 07/01/2019
Location Address: 15 Causey Lane Exeter Devon EX1 3SE	
Proposal:	Single storey rear extension for store room
<b>Delegated Decision</b>	
Application Number: 18/1571/FUL	Delegation Briefing:
Decision Type: Withdrawn by Applicant	Date: 20/12/2018
Location Address: Valley View Paddock Opposite Cheynegate Lane Exeter EX4 9HZ	
Proposal:	shared application with EDDCPP for Change of use of land to single pitch traveller site with adjoining area to be used for short term holiday accommodation for children

<b>Delegated Decision</b>	
Application Number: 19/0078/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2019
Location Address: 28 Main Road Exeter Devon EX4 8HS	
Proposal: Non-material amendment sought on planning approval ref. 12/1666/03 to alter roof profile in order to allow for additional internal space.	
<b>Priory</b>	
<b>Delegated Decision</b>	
Application Number: 18/1381/LBC	Delegation Briefing: 22/11/2018
Decision Type: Permitted	Date: 14/01/2019
Location Address: Wonford House Hospital Dryden Road Exeter Devon EX2 5AF	
Proposal: Listed Building Consent for the installation of secondary glazing to windows	
<b>Delegated Decision</b>	
Application Number: 18/1782/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 11/01/2019
Location Address: 27 Millstream Exeter Devon EX2 6GD	
Proposal: Partial garage conversion and ground floor rear extension	
<b>St Davids</b>	
<b>Delegated Decision</b>	
Application Number: 16/0242/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 03/01/2019
Location Address: 38 Commercial Road Exeter EX2 4AE	
Proposal: Discharge of conditions 3, 4, 7, 8, 11 and 16 of planning permission 14/4834/03 granted on 8 July 2015.	
<b>Delegated Decision</b>	
Application Number: 16/0243/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 03/01/2019
Location Address: 38 Commercial Road Exeter EX2 4AE	
Proposal: Discharge of conditions 3 and 4 of Listed Building application 14/4835/07 granted on 8 July 2015.	
<b>Delegated Decision</b>	
Application Number: 18/1082/LBC	Delegation Briefing: 13/12/2018
Decision Type: Permitted	Date: 14/01/2019
Location Address: 50 Queen Street Exeter Devon EX4 3SR	
Proposal: Alterations to railings to form a gate	

<b>Delegated Decision</b>	
Application Number: 18/1167/LBC	Delegation Briefing: 16/08/2018
Decision Type: Permitted	Date: 14/01/2019
Location Address: Royal Clarence Hotel Cathedral Yard Exeter Devon EX1 1HD	
Proposal:	Three elements proposed for demolition or alteration; i) Areas of the brick Vaulted Ceilings in Lamb Alley (Zone 2) to be removed; ii) Portion of the existing brickwork wall in Exeter Bank (Zone 5) to be removed; iii) New atrium elevations surrounding the existing fabric within front (Zone 3) and The Clarence Room (Zone 4).
<b>Delegated Decision</b>	
Application Number: 18/1286/FUL	Delegation Briefing: 27/09/2018
Decision Type: Permitted	Date: 21/12/2018
Location Address: Bendene Townhouse 15 - 16 Richmond Road Exeter Devon EX4 4JA	
Proposal:	Partial demolition of non original rear extension and new rear extension to ground and basement level.
<b>Delegated Decision</b>	
Application Number: 18/1287/LBC	Delegation Briefing: 27/09/2018
Decision Type: Permitted	Date: 21/12/2018
Location Address: Bendene Townhouse 15 - 16 Richmond Road Exeter Devon EX4 4JA	
Proposal:	Partial demolition of non original rear extension and new rear extension to ground and basement level.
<b>Delegated Decision</b>	
Application Number: 18/1457/FUL	Delegation Briefing: 15/11/2018
Decision Type: Permitted	Date: 11/01/2019
Location Address: Senate Court Southernhay Gardens Exeter Devon EX1 1UG	
Proposal:	Construction of new build single storey floor on roof for office use (Class use B1).
<b>Delegated Decision</b>	
Application Number: 18/1556/FUL	Delegation Briefing: 06/12/2018
Decision Type: Permitted	Date: 07/01/2019
Location Address: 1 The Coach House New North Road Exeter Devon EX4 4AJ	
Proposal:	Installation of doors to west elevation and flush conservation rooflights on the east and west elevations.
<b>Delegated Decision</b>	
Application Number: 18/1557/LBC	Delegation Briefing: 06/12/2018
Decision Type: Permitted	Date: 07/01/2019
Location Address: 1 The Coach House New North Road Exeter Devon EX4 4AJ	
Proposal:	Conversion of attic to additional bedroom/bath facilities including; modification of attic king post truss to scissor truss; french doors to west elevation and roof lights to east/west elevations

<b>Delegated Decision</b>	
Application Number: 18/1602/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2019
Location Address: 82 Queen Street Exeter Devon EX4 3RP	
Proposal:	The new fascia panels would be manufactured using 3mm aluminium composite panels panted Yellow and Black colour. The main fascia measures 5100mm x 520mm. The projecting sign measures 750mm x 550mm. The trough light would run the full length of the shop and once fitted the light would protrude approx 200mm from the fascia.
<b>Delegated Decision</b>	
Application Number: 18/1615/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 16/01/2019
Location Address: Renslade House Bonhay Road Exeter Devon EX4 3AY	
Proposal:	Discharge of condition 13 (extraction details) of planning application 17/0001/FUL granted 7 April 2017.
<b>Delegated Decision</b>	
Application Number: 18/1630/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 02/01/2019
Location Address: City Arcade Fore Street St Davids Exeter Devon EX4 3JE	
Proposal:	Discharge of condition 4 (Archaeology), 8 (CEMP), 9 (Noise) 12 (Contamination), 13 (UXO) and 14 (Building Contract) of planning application 17/1980/FUL granted on 23 October 2018.
<b>Delegated Decision</b>	
Application Number: 18/1673/FUL	Delegation Briefing: 13/12/2018
Decision Type: Permitted	Date: 11/01/2019
Location Address: Palace Gate House Palace Gate Exeter Devon EX1 1HX	
Proposal:	Remove existing railings and gate from stone wall and install replacement railings 1400mm in height and replacement gate
<b>Delegated Decision</b>	
Application Number: 18/1810/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 28/01/2019
Location Address: 1-2 Princesshay Exeter Devon EX1 1GE	
Proposal:	Lawful development certificate to create an ancillary Travel Agency Concession occupied by Virgin Holidays.
<b>Delegated Decision</b>	
Application Number: 18/1844/PDJ	Delegation Briefing:
Decision Type: Withdrawn by Applicant	Date: 15/01/2019
Location Address: Beech Hill House Walnut Gardens Exeter Devon EX4 4DH	
Proposal:	Prior notification under Class O for the conversion of existing offices (Class B1a) to residential (Class C3) for 15 studio units and 1 bedroomed apartment.



<b>Delegated Decision</b>	
Application Number: 18/1845/PDJ	Delegation Briefing:
Decision Type: Withdrawn by Applicant	Date: 15/01/2019
Location Address: BBC Radio Devon 1 Walnut Gardens Exeter Devon EX4 4DH	
Proposal: Prior notification under Class O for the conversion of existing office (Class B1a) to residential (Class C3) for 17 studio units and 1 bedroomed apartment.	
<b>Delegated Decision</b>	
Application Number: 19/0049/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 30/01/2019
Location Address: Renslade House Bonhay Road Exeter Devon EX4 3AY	
Proposal: Discharge of condition 3 (materials) of planning application 17/1349/FUL granted on 30 November 2017.	
<b>St Loyes</b>	
<b>Delegated Decision</b>	
Application Number: 18/1402/TPO	Delegation Briefing:
Decision Type: Refuse Planning Permission	Date: 30/01/2019
Location Address: Fourwinds Heath Road Exeter Devon EX2 5JX	
Proposal: Oak - Reduce by 50%	
<b>Delegated Decision</b>	
Application Number: 18/1589/FUL	Delegation Briefing: 29/11/2018
Decision Type: Permitted	Date: 24/12/2018
Location Address: 6 Baxter Close Exeter Devon EX2 7TB	
Proposal: Extension to rear of house, to incorporate a kitchen and living room space.	
<b>Delegated Decision</b>	
Application Number: 18/1684/FUL	Delegation Briefing: 06/12/2018
Decision Type: Permitted	Date: 16/01/2019
Location Address: 14 Gittisham Close Exeter Devon EX1 3UL	
Proposal: Rear and side single-storey extension (including enlarging garage) and new 1st floor bedroom above enlarged garage.	
<b>Delegated Decision</b>	
Application Number: 18/1691/FUL	Delegation Briefing: 13/12/2018
Decision Type: Permitted	Date: 11/01/2019
Location Address: 72 Woodwater Lane Exeter Devon EX2 5NP	
Proposal: Single storey side extension	



<b>Delegated Decision</b>	
Application Number: 18/1738/FUL	Delegation Briefing: 06/12/2018
Decision Type: Permitted	Date: 07/01/2019
Location Address: 20 Sanford Place Exeter Devon EX2 9FD	
Proposal: Ground floor side extension to flat.	
<b>Delegated Decision</b>	
Application Number: 18/1818/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 30/01/2019
Location Address: 3 Ferndale Road Exeter Devon EX2 9BW	
Proposal: Single storey rear extension - refer to attached drawings - 3_001,2 and 3	
<b>Delegated Decision</b>	
Application Number: 18/1839/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 18/01/2019
Location Address: Former Speedway Garage 63 Cowick Street Exeter EX4 1HW	
Proposal: Discharge of condition 5 (Landscaping), 7 (Site Investigation), 9 (Materials), 11 (Swift Boxes), 14 (Green Travel Plan), 15 (Noise Assessment), 16 (Archaeology), 19 (Loading Bay) and 21 (Cycle Storage) of planning application 16/1189/FUL granted 20 October 2017.	
<b>Topsham</b>	
<b>Delegated Decision</b>	
Application Number: 18/0539/FUL	Delegation Briefing: 05/07/2018
Decision Type: Permitted	Date: 28/01/2019
Location Address: 1 Lower Shapter Street Topsham Exeter Devon EX3 0AT	
Proposal: Proposed Internal and External Alterations	
<b>Delegated Decision</b>	
Application Number: 18/0540/LBC	Delegation Briefing: 05/07/2018
Decision Type: Permitted	Date: 28/01/2019
Location Address: 1 Lower Shapter Street Topsham Exeter Devon EX3 0AT	
Proposal: Proposed Internal and External Alterations	
<b>Delegated Decision</b>	
Application Number: 18/0687/FUL	Delegation Briefing: 15/11/2018
Decision Type: Permitted	Date: 18/01/2019
Location Address: 19 Seabrook Avenue Exeter Devon EX2 7DW	
Proposal: Two storey side extension, porch and alterations to front boundary.	

<b>Delegated Decision</b>	
Application Number: 18/0788/LBC	Delegation Briefing: 22/11/2018
Decision Type: Permitted	Date: 24/12/2018
Location Address: 37 Monmouth Street Topsham Exeter Devon EX3 0AJ	
Proposal: Re-roofing and rebuilding of chimney (retrospective application)	
<b>Delegated Decision</b>	
Application Number: 18/1058/FUL	Delegation Briefing: 15/11/2018
Decision Type: Permitted	Date: 17/01/2019
Location Address: 15 Higher Shapter Street Topsham Exeter Devon EX3 0AW	
Proposal: Replacement and enlarging of dwelling incorporating two original external walls.	
<b>Delegated Decision</b>	
Application Number: 18/1193/FUL	Delegation Briefing: 13/12/2018
Decision Type: Permitted	Date: 16/01/2019
Location Address: 32 Victoria Road Topsham Exeter Devon EX3 0EU	
Proposal: Refurbishment to kitchen and bay window with proposed terrace area and internal alterations.	
<b>Delegated Decision</b>	
Application Number: 18/1438/FUL	Delegation Briefing: 06/12/2018
Decision Type: Permitted	Date: 09/01/2019
Location Address: 21 Ferry Road Topsham Exeter Devon EX3 0JW	
Proposal: Addition to first floor balcony	
<b>Delegated Decision</b>	
Application Number: 18/1444/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 16/01/2019
Location Address: 99 Newcourt Road Topsham Exeter Devon EX3 0BU	
Proposal: Extension and alterations to existing dwelling.	
<b>Delegated Decision</b>	
Application Number: 18/1626/FUL	Delegation Briefing: 29/11/2018
Decision Type: Permitted	Date: 09/01/2019
Location Address: 75 Fore Street Topsham Exeter Devon EX3 0HQ	
Proposal: Change of use from class A1 to class A2.	
<b>Delegated Decision</b>	
Application Number: 18/1627/LBC	Delegation Briefing: 29/11/2018
Decision Type: Permitted	Date: 09/01/2019
Location Address: 75 Fore Street Topsham Exeter Devon EX3 0HQ	
Proposal: Alterations to shop front signage.	

<b>Delegated Decision</b>			
Application Number:	18/1650/FUL	Delegation Briefing:	06/12/2018
Decision Type:	Permitted	Date:	15/01/2019
Location Address:	52 Fore Street Topsham Exeter Devon EX3 0HW		
Proposal:	Replacement timber windows to rear, balcony enlargement and alterations, and provision of land drain to the north of the building.		
<b>Delegated Decision</b>			
Application Number:	18/1651/LBC	Delegation Briefing:	06/12/2018
Decision Type:	Permitted	Date:	15/01/2019
Location Address:	52 Fore Street Topsham Exeter Devon EX3 0HW		
Proposal:	Replacement timber windows to rear, balcony enlargement and alterations, and provision of land drain to the north of the building.		
<b>Delegated Decision</b>			
Application Number:	18/1665/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	08/01/2019
Location Address:	27 Majorfield Road Topsham Exeter Devon EX3 0ES		
Proposal:	Single storey rear extension.		
<b>Delegated Decision</b>			
Application Number:	18/1674/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/12/2018
Location Address:	Land To The North Of Exeter Road Topsham Exeter		
Proposal:	Amendment to approved consent comprising increase in the roof pitch of plots 18 and 19, from 32 degrees to 40 degrees (Non-material Minor Amendment to planning permission 17/1091/RES granted 12th December 2017).		
<b>Delegated Decision</b>			
Application Number:	18/1757/FUL	Delegation Briefing:	13/12/2018
Decision Type:	Permitted	Date:	18/01/2019
Location Address:	21 Ashford Road Topsham Exeter Devon EX3 0LA		
Proposal:	Single storey rear extension (Revised Scheme).		
<b>Total Applications: 112</b>			

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**REPORT TO:** PLANNING COMMITTEE  
**Date of Meeting:** 11 February 2019  
**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 **18/0774/FUL** - 68 Broadway. The application sought permission to demolish garage and replace with an extended garage.

The main issues were:

- the character and appearance of the area;
- the living conditions of future occupiers with regard to the provision of garden space; and
- the living conditions of neighbouring occupiers, with particular regard to outlook.

To take each in turn, the Inspector considered that the proposed garage would be overly large and would harm the character of the host dwelling, its garden and the surrounding area. The disparity between it and the adjoining garage would only emphasise the excessive bulk of the building and unbalanced appearance. While it would not be visible from many public vantage points, it would be clearly visible from a number of neighbouring gardens and properties. It would be larger than any other of the many existing outbuildings in the locality, although the presence of other outbuildings does not justify the harm identified. Even taking into account the proposed render external finish in place of cladding, the garage would still fail to assimilate well with surroundings, mainly due to its overall bulk and massing and it was concluded to cause harm to the character and appearance of the area.

In terms of living conditions, the Inspector identified that the proposal would somewhat compromise the garden space but the remaining space would be of a scale sufficient to serve the host dwelling and concluded that the proposal would not harm the living conditions of current or future occupiers.

In respect of the living conditions of neighbouring occupiers, while it would form a new visible and not particularly attractive built feature, the Inspector did not consider the structure to be of a scale or sited in such a way as to result in significant dominating or overbearing effects on the occupiers of adjoining properties.

For these reasons, it was concluded that the appeal should be dismissed. While the Inspector considered there would be sufficient amenity space to serve the property and that the living conditions of neighbours would not be harmed, this does not outweigh the harm identified to the character and appearance of the area which leads the proposal to conflict with the Development Plan as a whole.

#### **4. New Appeals**

None.

#### **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