

PLANNING

Date: Monday 30 September 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 Lyons (Chair), Williams (Deputy Chair), Bialyk, Branston, Foale, Ghusain, Harvey, Mrs Henson, Mitchell, M, Morse, Pierce, Sheldon and Sutton

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 2 September 2019.

(Pages 5 -
22)

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. 19/0255/RES - Home Farm, Phase 2**

To consider the report of the Service Lead City Development. (Pages 23 - 34)

6 **Planning Application No. 19/0921/FUL - Land at Monmouth Street, Topsham**

To consider the report of the Service Lead City Development. (Pages 35 - 44)

7 **List of Decisions Made and Withdrawn Applications**

To consider the report of the City Development Manager. (Pages 45 - 58)

8 **Appeals Report**

To consider the report of the City Development Manager. (Pages 59 - 60)

9 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 15 October 2019 at 9.30 a.m. The Councillors attending will be Councillors Ghusain, Harvey and Mrs Henson.

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 28 October 2019** at 5.30 pm in the Civic Centre.

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PLANNING COMMITTEE

Monday 2 September 2019

Present:-

Councillor Lyons (Chair)
Councillors Williams, Bialyk, Branston, Harvey, Mrs Henson, Pierce, Sheldon and Sutton

Apologies

Councillors Foale, Mitchell, M and Morse

Also Present

Service Lead City Development, Assistant Service Lead (Planning) City Development,
Principal Project Manager (Development) (PJ) and Democratic Services Officer

54

MINUTES

The minutes of the meeting held on 22 and 29 July were taken as read, approved and signed by the Chair as correct.

55

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

56

PLANNING APPLICATION NO. 19/0560/FUL - BEECH HILL HOUSE, WALNUT GARDENS, EXETER

The Principal Project Manager (Development) (PJ) presented the application for residential accommodation for students.

A total of 166 bedspaces (138 student bedrooms within cluster flats, 19 self-contained studio flats and 9 accessible studios) were proposed on five levels with the basement comprising a plant area, gym and cinema. Vehicular access would be through a secure main entry gate with landscaped and outdoor seating areas. There was a reduction of 26 bedspaces from the original scheme, refused under delegated powers which was currently at appeal. The Principal Project Manager (Development) (PJ) explained the changes at the different levels and the differing impacts on the surrounding area.

The Principal Project Manager (Development) (PJ) detailed proposed changes to the conditions including an additional condition in respect of drainage. He reported that further verbal comments had been received suggesting better integration between students and the local community; a more robust student management plan, the transplantations of the walnut tree, use of CIL money towards community provision in the St David's area and concerns regarding drainage run off into Looe Road. Responding to a Member, he confirmed that the development would be 20 metres from the adjacent terrace in St David's Hall.

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

- St. David's and St. James' wards both suffer from an excess of student populations;
- the decision to refuse the previous application was correct and this decision

should be upheld for the revised application where there has only been a minimal reduction in the number of units;

- the proposal remains unsuitable in terms of size and massing and is cramped and unsuitable for the St David's ward and will impact adversely on the character of the area;
- 1,800 students are registered in the St David's Ward with an excess of 50% in some streets which impacts adversely on the community feel;
- this historic area with the Ironbridge, the St David's and St. Michael's Churches as well as the Almshouses should be protected and towerblock developments of this nature opposed;
- there will be an adverse impact on vulnerable young people in the area such as the occupants of Esther Community and the YMCA; and
- although the County Council are supportive of pedestrian and cycling improvements feel that further improvements are required.

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

- thank Crosslane for meeting on site to show key features of the application and have also met residents across the neighbourhood;
- object on three grounds - first it doesn't meet the Council's own planning policies, second significant loss of amenity for the neighbourhood if the development is not controlled and thirdly material matters which do not make this application acceptable;
- proposal conflicts with Local Plan Policy H5(b) as it is an over concentration of purpose built student housing changing the character of the area and creating an imbalance in the community. It is an area of multiple deprivation and a lower super output area so a balanced community is crucial to its stability and viability as set out by the Local Community in the Vision 2020 Community Plan. If this development proceeds, increasing the numbers of the transient community will further erode that balance. The site should be allocated to mixed use residential accommodation;
- the Council's Heritage conservation policy states that developments must demonstrably improve the appearance and functioning of an area and must not have a detrimental effect on the character and setting of adjacent listed buildings. Purpose built student housing will not improve this Conservation Area. Students bring cars and there will be deliveries and other service vehicles;
- a large block designed for students must be properly managed in order to avoid conflict and distress. Staffing during the day only is not an acceptable approach, for students or neighbours. Proper 24/7 paid staffing is required, especially if any noise and nuisance in the garden just outside Walnut Cottages where students will gather. A clear condition for this is required;
- the tree planted in memory will no longer be accessible by the public and a condition is required that if the tree doesn't survive its relocation that it is immediately replaced. There must also be a plaque put up in the garden in her memory. Proposal is required for the listed garden;
- Crosslane are keen for the students to be a part of the community, through volunteering. The Vision 2020 community plan sets out a myriad ways volunteers can get involved in the community but this has to be organised and managed safely and a planning condition is required to help pay for this activity;
- a condition is required to bring forward a biodiversity improvement plan for the site and the provision of replacement trees to the Devon standard;
- residents have also identified two further concerns that are not properly addressed in the application. The development is on the edge of a steep slope overlooking Bonhay and Looe Roads. Reassurance required that both

construction and the management of drainage and run-off does not result in soil/land slippage down the very steep slopes above properties in Bonhay and Looe Roads; and

- have Highways approved gates on the boundary of the Walnut Gardens property because of vehicles needing to stop on the road, open the gates and gain access at a point that is just at a brow of a hill? A clear proposal and the agreement of Walnut cottages residents must be secured.

Jill Hughes spoke against the application. She raised the following points:-

- speaking on behalf of neighbours in Montpelier Court and vicinity where the proposed development will have a considerable impact. A large development for 166 young people who are only there temporarily and therefore have no roots in the community is inappropriate in a settled residential area with retirement and family homes;
- the St. David's Ward has a large amount of student accommodation, both purpose built and multi occupancy - in 2017 the University recorded 1,805 students in the area with a further 475 in development, so there is already an imbalance;
- impact of increased pollution and noise is a concern. St David's Hill is a busy road with constant traffic and congestion. The development will result in increased traffic from administrative staff, gardeners etc;
- increased noise will also be a problem as a result of a late night style of living. This already occurs and will increase. Walnut Cottage residents will also be affected by noise from students collecting or returning bicycles at the cycle racks;
- the open space allocated for reading and smoking is immediately behind the cottages and under bedroom windows so there will be pollution from cigarette smoke. A 7pm curfew may not be enforceable. The management company is proposing to employ a mature student at night instead of professionally trained personnel. This student's authority might not be accepted and the policy raises major concerns about the handling of any crisis; and
- object to this application.

Lisa Timberlake spoke in support of the application. She raised the following points:-

- the Crosslane Group will develop, and subsequently manage, the proposed accommodation and will remain stakeholders in the local community;
- Crosslane require high standards of behaviour and respect for the amenities of neighbours. The on-site management teams provide a point of contact for neighbours;
- Crosslane have carefully assessed the market for student accommodation. Findings support the Council's assessment confirming a student population in need of housing of just under 20,000, against an existing supply of circa 7,750 student bedspaces which could increase to over 10,000 if all potential pipeline supply is delivered. A ratio of approximately one student bedspace for every two students suggests that Exeter has not yet reached a position of oversupply of Purpose-Built Student Accommodation;
- there remains substantial unsatisfied demand for good quality accommodation in appropriate locations where students wish to live;
- the only alternative is to compete in the market for normal rented accommodation which places pressure on housing for families. Housing students in purpose-built accommodation will reduce pressure on the local housing market. It will also potentially reduce conflicts arising from students living in unmanaged accommodation next to general market housing;

- the development will be car free and occupiers will not be eligible for parking permits; and
- the site is an optimal location for student accommodation.

She responded as follows to Members' queries:-

- wardens will be on duty 8am to 6pm Monday to Friday and 9am to 5pm on Saturdays with student ambassadors on call during other times. The latter will benefit from reduced rents and will be paid a fee. All entrances are monitored by CCTV with security alarms for medical/fire emergencies. There will be 24 hour support but regular staff will not be on site after 6pm. Any wider issues raised by the local community can be discussed with staff during day time;
- there will be a mix of cluster flats for 2nd and 3rd years and studios for overseas students and postgraduates;
- anti-social behaviour will not be tolerated and it is anticipated that many students will not wish to jeopardise their accommodation by behaving unacceptably;
- students will sign an undertaking not to bring cars. Although this cannot be policed by the company, where such usage is reported when parked off site, a "three strikes and out" policy will operate. The company has issued warnings in other student developments;
- co-living, involving both students and the wider population, was an unproven model but was being developed by the company in London through its co-living department. It could involve extra provision for non-students such as larger accommodation and parking spaces; and
- cinema/gym provision would occupy the basement space where accommodation could not be provided.

Members felt that the scale and massing of the proposal was unsuitable in this area of the city. They referred to the village feel of the area, the eclectic style of surrounding properties and the historical aspects of the neighbourhood concluding that the design failed to add positively to this important part of the city. They emphasised that it was the unsuitable nature of the proposal in terms of size, massing and design in the context of its wider setting that was of paramount concern rather than the fact that it would herald a further increase in student numbers in an area already considered by many to be overpopulated with this cohort. In this context, it was suggested that a shift from the city centre to the more peripheral areas of the city as locations for purpose built student accommodation would be preferable to avoid the growing ghettoization of certain inner city areas.

Other Members referred to the design being inappropriate for a Conservation Area, the unacceptable thinning out of trees on the lower boundary and the potential impact on Looe Road because the steep bank overlooking those residences could be destabilised by the development because of increased drainage pressures.

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

A proposal to refuse the application was moved and seconded voted upon and carried unanimously.

RESOLVED that the application for residential accommodation for students (166 bedspaces) be **REFUSED** for the following reasons

The proposal is contrary to Core Planning Policy Section 4, 11, 12 and 16 of the National Planning Policy Framework, Objective 9 and Policy CP4 and Cp17 of the

Exeter Local Development Framework Core Strategy and Policies H5(a), C1, C2, C3, T3, DG1 (b) 9c) (d) (f), (g) and (h) of the Exeter Local Plan First Review 1995-2011 because by virtue of:-

- i) its siting, footprint, height, massing and design, the proposal would appear as a cramped and overly dominant form of development of excessive density, unsympathetic with and detrimental to the character of the St Davids Conservation Area failing to respect its local distinctiveness;
- ii) its dense, bulky and uniformed appearance would appear as a visually intrusive form of development that would be visually detrimental when viewed from St Davids Hill and the wider views from the west of the City unsympathetic with, and detrimental to, the character of the historic townscape of the area;
- iii) its height, massing and design has a detrimental impact on the residential amenities in respect of No. 55 to 61 St Davids Hill specifically in respect of loss of light, outlook and privacy not allowing existing and future residents to feel at ease with their home and garden;
- iv) the building's siting will result in the removal of existing trees within the site that contributes to the character and appearance of the area. The siting and footprint of the existing building will allow limited opportunity for replacement planting and have a detrimental impact on the character and appearance of the St Davids Conservation Area;
- v) the proposal would result in the overconcentration of student accommodation on the site to the detriment of nearby existing residents amenities to the extent that it would change the character of the area and exacerbate existing problems of imbalance in the local community.

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PLANNING APPLICATION NO. 19/0433/FUL - 54 MAIN ROAD, PINHOE

The Assistant Service Lead City Development presented the application for the re-development of former Poltimore Arms site for ground floor commercial premises (A1 use) with three residential apartments on first floor over with onsite parking and amenity.

The development included solar panels on the roof and three parking spaces only to help reduce reliance on cars. The site also benefited from an existing nearby car park for community parking.

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

- welcome new retail provision but concerned about additional traffic generation in an area suffering significantly from congestion and pollution around the double roundabout. Both residents of the flats and the public including children visiting the shops and the Spar supermarket will be affected by the increased pollution; and
- the receipt of only three letters of objections presumably reflects the concerns expressed over the other, larger residential developments in the area.

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

- the Pinhoe/Monkerton area has witnessed huge housing developments in

recent months in both the City Council and East Devon administrative areas with associated infrastructure and general transport issues;

- Poltimore Arms site was cleared by the community but there are concerns that the retail element will generate additional traffic and parking problems. Accept that three parking spaces for three flats is adequate but problem parking already exists in the area such as parking on double yellow lines in Langaton Lane including the larger white vans which will increase with this development; and
- suggest that “pull in” areas be provided along Langaton Lane to reduce illegal parking.

Kate Jago spoke against the application. She raised the following points:-

- Chair of the Pinhoe Village Community Action Group constituted in August which is seeking to make a formal application for a Neighbourhood Plan;
- scale of development in Pinhoe has prompted widespread concern across the area, specifically in Monkerton, with residents fearing disempowerment and the destruction of the Pinhoe Village;
- accessibility and traffic concerns;
- concerns regarding the environmental impact and seek improved landscaping for example on footpaths by providing shrubs and planters to prevent illegal parking;
- need for a local medical practice and improved infrastructure;
- seek a wider strategic vision for the area and integrated thinking with a new approach to development; and
- cannot support application and call for further stakeholder consultation.

The Highways Development Management Officer responded that the level of parking provision was acceptable given the nearby car park and the sustainability goals of encouraging people to reduce reliance on cars. The proximity of other shops in the area would also encourage linked trips. He and the Assistant Service Lead City Development confirmed that Langaton Lane was too narrow to facilitate “pull in” areas.

Members welcomed the proposal as an improvement to this brown field site which was previously an eyesore. A Member referred to the general pressures on the highway network in this area as a result of the housing developments and another stated that the introduction of charging in the nearby car park was part of the “stick” approach to encourage greater walking and cycling and reduce car journeys in line with the Council’s goal of reducing carbon emissions.

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

The recommendation was moved and seconded.

RESOLVED that the application for the re-development of former Poltimore Arms site for ground floor commercial premises (A1 use) with three residential apartments on first floor over with onsite parking and amenity be **APPROVED**, 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 22 March 2019 (including dwg. nos. 1803-100 Rev B; 1803-101 Rev B; 1803-102 Rev B received on 04 June 2019) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) 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: In compliance with Policy DG1 (i), to ensure that the materials conform with the visual amenity requirements of the area.
- 4) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no 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.
- 5) No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:
- a) The site access point(s) of all vehicles to the site during the construction phase.
 - b) The parking of vehicles of site operatives and visitors.
 - c) The areas for loading and unloading plant and materials.
 - d) Storage areas of plant and materials used in constructing the development.
 - e) The erection and maintenance of securing hoarding, if appropriate.
 - f) Wheel washing facilities.
 - g) Measures to control the emission of dust and dirt during construction.
 - h) No burning on site during construction or site preparation works.
 - i) Measures to minimise noise nuisance to neighbours from plant and machinery.
 - j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.
 - k) No driven piling without prior consent from the LPA.
- The approved Statement shall be strictly adhered to throughout the construction period of the development.
- 6) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority.

The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

- 7) Prior to commencement of the development, the applicant shall submit a noise assessment for approval in writing by the LPA. The assessment should include (but not be limited to) the impact of existing ambient noise on the residential development, the impact of noise from the proposed commercial premises on existing and proposed residential development, the impact of plant and equipment, noise from deliveries and collections, and both air borne & structure borne noise and vibration.
If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of mitigation. This shall be based on the results of the above assessment and shall be submitted to and approved by the Local Planning Authority before development commences. All works that form part of the scheme shall be completed before any of the permitted development is occupied.
- 8) No part of the development hereby approved shall be brought into its intended use until vehicular spaces, double yellow lines are extended, footway adjacent to the site is provided and the redundant accesses on Langaton Lane are reinstated to a full height kerb as indicated by Drawing Number 1803-100 REV B have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason: To provide a safe and suitable access, in accordance with Paragraph 108 of the National Planning Policy Framework
- 9) No part of the development hereby approved shall be brought into its intended use until details are submitted to the Local Planning Authority of secure covered cycle parking provision for the development. No part of the development hereby approved shall be brought into its intended use 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.

Informatives

- 1) In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Areas (SPA), the Exe Estuary and East Devon Pebblebed Heaths, which are designated European sites. 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 Community Infrastructure Levy (CIL) collected in respect of the development being allocated to fund the mitigation strategy. Or, if the

development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism (this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).

- 2) 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.
- 3) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see www.exeter.gov.uk/cil.
- 4) The applicant is advised that any dropped kerb will need to be built in accordance with the highway authority's specification and that that they must apply and receive permission before undertaking any such works on the highway. In order to make these spaces easily accessible, the applicant has chosen to "fill in" the missing double yellow lines (DYL's) on Langaton Lane and as such a Traffic Regulation Order is needed to extend the double DYL's and therefore a contribution of £3,000 is required.

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PLANNING APPLICATION NO. 19/0287/FUL - LAND BETWEEN HOLLOW LANE AND HARTS LANE, MONKERTON, EXETER

The Service Lead City Development presented the application for the construction of a two storey primary school with a nursery and associated play areas, sports pitch and parking.

The Service Lead City Development advised that the application had been deferred at the previous meeting following Members' concerns about access. Some further information seeking to allay these concerns had been submitted within the update report together with a representation from the Department of Education which reminded Members that the NPPF gave great weight to the need to create schools. Notwithstanding the concerns regarding access, Members were advised that:-

- 1) the site was allocated in the Core Strategy specifically for a school. This had been deemed by Members to be the best location within the urban extension for a school;
- 2) the Committee had previously approved a much larger school, on the same site without any drop-off; and
- 3) there was no objection from the Highway Authority and the school access road had been designed and part constructed. The access had also been subject to a successful Road Safety Audit for the larger school.

The Service Lead City Development stated that the National Planning Policy Framework required that Local Planning Authorities approve development proposals that accord with the development plan without delay unless there was significant harm to be evidenced. It was noted that the school travel plan provided

a mechanism for the continuous review of the access strategy.

The Assistant Service Lead City Development advised that the playing field would be grassed and that discussions were on-going regarding dual usage.

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

- the development provides welcome additional infrastructure to the area where there has been huge housing provision;
- the school will relieve pressure on the existing Pinhoe Primary School;
- the Monkerton Master Plan is some five years old and therefore the data is not up to date;
- parking by parents dropping off and collecting children is a great concern as some tend to arrive an hour early in the afternoons resulting in congestion; and
- urge the County Council to quickly adopt the road to facilitate enforcement and effective management by the school itself.

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

- welcome new school provision which is a badly needed facility in a rapidly growing urban area;
- walking distance for many children from the new estates will be some 30/40 minutes and it is likely therefore that they will be delivered and collected by their parents in cars. As well as ensuring their child's safety there will also be a health rationale because of pollution concerns from increased traffic. Anticipate that 80% of children will arrive by cars; and
- the school should introduce communal transport provision for pupils.

Kate Jago spoke against the application. She raised the following points:-

- speaking as elected Chair of Pinhoe Village Community Action Group;
- excessive scale of local development in Pinhoe, specifically regarding impact of intensified traffic flow across the centre of the village where this site is located;
- significant community concerns in respect of density of traffic, congestion, environmental issues and need for strategic vision to protect all members of community;
- note objection from the Civic Society;
- the Pinhoe community supports Exeter City Council's aim to be carbon neutral by 2030 and calls for integrated strategic thinking to be applied at this critical stage
- cannot support application and call for further stakeholder consultation.

Rory McHugh spoke in support of the application. He raised the following points:-

- representing Hydrock, the transport consultants;
- previous comments of the Committee have been taken very seriously. At its existing site, the Trust operates a sustainable school, with measures such as a dedicated minibus, and staff who monitor and manage travel and parking. The same approach would carry-over to Monkerton;
- a Travel Plan with 43 separate initiatives and measures produced to be monitored by Exeter City Council and Devon County Council;
- direct engagement with Ward Members and the local community will take place with a new infrastructure for walking or cycling to school, greater communication with pupils and parents and strategies to manage the

- movement of large vehicles outside of peak times;.
- school committed to delivering the Travel Plan to place the school at the heart of Monkerton and create a sustainable community well served by existing and future walking, cycling and public transport links;
- car trips to the school by staff and by parents dropping-off or picking-up will be minimised due to the local catchment and sustainable links. Staff parking space will be provided on-site, and the school access road was designed and Road Safety Audited by Devon County Council in order to accommodate a larger school than is now proposed;
- the outline planning consent for a larger school on the site included no on-site drop-off or pick-up facilities; however, the plans include eight spaces, turning-over regularly at peak times, monitored and controlled by school staff at the beginning and end of the day. This is in addition to the ability of the access and surrounding estate roads to accommodate parking;
- the number of trips to the site by all modes of transport have been assessed, based on patterns of travel at other Exeter schools. Using local and national data, Hydrock, WSP and Devon County Council have concluded that traffic capacity will not be an issue for the current proposals, or for the larger school which was previously permitted; and
- hope that the additional information provided now demonstrates that this school site, identified in policy and supported by access designs undertaken by the County Council, will operate safely and sustainably.

He responded as follows to Members' queries:-

- the school operates a minibus for school travel trips but not for picking up and dropping off pupils. However, a robust travel assessment indicates that traffic congestion will not be an issue; and
- will be engagement with Members and the community on bio-diversity issues.

Members reiterated concerns expressed regarding potential traffic congestion along the access road and possible tailbacks from the school to Cumberland Way and for the need for the County Council to quickly adopt highways around the site and ensure robust enforcement of unmaintained policy.

The School represented a key piece of infrastructure required to support the Monkerton urban extension. Given this, it was important for the School to be built and opened as soon as possible.

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

The recommendation was moved and seconded.

RESOLVED that, subject to the satisfactory resolution of items relating to SUDS, landscaping and noise, the Service Lead City Development, subject to prior consultation with the Chair of this Committee, be authorised to **APPROVE** planning permission for the construction of a two storey primary school with a nurse's room and associated play areas, sports pitch and parking, 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 29 July 2019 (Written Scheme of Archaeological Work), 24 July 2019 (Construction Phase Plan – Incorporating Health, Safety, Quality and Environment), 12 July 2019 (dwg. nos. FS0622-HYD-00-ZZ-DR-C-7010 Rev. P03, FS0622-SBA-00-XX-DR-A-0010 Rev. P4, FS0622-SBA-00-XX-DR-A-1002 Rev. P3, FS0622-SBA-00-XX-DR-A-1003 Rev. P3, FS0622-HYD-00-ZZ-DR-C-7200 Rev. P07 and 1353-01 Rev. F and Design and Access Statement), 14 June 2019 (dwg. nos. FS0622-SBA-00-XX-DR-A-0008 Rev. P2, FS0622-SBA-00-XX-DR-A-1006 Rev. P3, FS0622-HYD-00-XX-DR-E-8500 Rev. P07 and FS0622-HYD-00-XX-DR-E-8501 Rev. P04 and cladding materials Reynobond Reynolux Sample 2423G/18 in copper patina and Tata Steel Colorcoat Prisma in Anthracite), 7 June 2019 (Air Quality Assessment and Arboricultural Impact Assessment), 26 April 2019 (dwg. no. FS0622-HYD-00-XX-DR-C-7400 Rev. P04 and FS0622-SBA-00-XX-DR-A-0026 Rev. P1, Logistics Plan and Phase 2a Preliminary Ground Investigation) and 25 February 2019 (Site Waste Management Plan) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved details.
- 3) Prior to their use on site, samples of the bricks and any paving materials shall first be submitted to, and approved by, the Local Planning Authority. The proposed cladding materials have already been submitted and approved as part of this consent. If a subsequent change is required, samples of alternative cladding must first be submitted to, and approved by, the Local Planning Authority. The approved materials must thereafter be used in the construction of the development.
Reason: To ensure the materials are of a quality that is not harmful to the character and appearance of the area.
- 4) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and the building shall not 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 ensure the landscaping scheme provides a positive setting for the school building, enhances the character and appearance of the area and mitigates the impact of the development on biodiversity.
- 5) 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 ensure the landscaping scheme provides a positive setting for the school building, enhances the character and appearance of the area and mitigates the impact of the development on biodiversity.
- 6) **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 the Arboricultural Impact Assessment received on 7 June 2019 and the Landscape Strategy (dwg. no. 1353-01 Rev. F) received on 12 July 2019. 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 construction phase of the development.

- 7) Unless otherwise agreed by the Local Planning Authority, the building hereby approved must achieve a level of sustainability that is equivalent to BREEAM excellent and shall be constructed in accordance with the commitments made in the submitted Sustainability Statement and BREEAM Pre-Assessment Report (received on 7 June 2019). A post-completion report shall be submitted to the Local Planning Authority, within three months of completion of the scheme, setting out how the development has met the minimum standards required by this condition.
Reason: In the interests of delivering sustainable development.
- 8) The habitable building comprised in the development hereby approved shall be constructed in accordance with the CIBSE Heat Networks Code of Practice so that the fixed internal systems for space and water heating are capable of being connected to the local energy network. Prior to occupation of the building, the necessary on-site infrastructure (including pipework, plant and machinery) for connection of the building's internal systems to the network shall have been put in place in a manner agreed in writing by the Local Planning Authority.
Reason: To ensure that the proposal complies with Policy CP13 of the Council's adopted Core Strategy and paragraph 153 of the National Planning Policy Framework and in the interests of delivering sustainable development.
- 9) 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.
- 10) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.
Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in

writing, by the local planning authority.

Reason: 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) Before occupation of the development, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in full and maintained thereafter.
Noise from mechanical building services plant should not exceed a rating noise level (measured in accordance with BS4142:2014) of 36dB at 1m from any noise sensitive receptor.
Reason: In the interests of amenity and to ensure that noise does not have an unacceptable impact on any neighbouring noise-sensitive development.
- 12) No part of the development hereby approved shall be brought into its intended use until the vehicular access, vehicular spaces and turning area as indicated on the Proposed Site Plan (dwg. no. FS0622-SBA-00-XX-DR-A-0010 received on 12 July 2019) have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason: To provide a safe and suitable access, in accordance with Paragraph 108 of the National Planning Policy Framework.
- 13) No part of the development hereby approved shall be brought into its intended use until the 3m width path from Hollow Lane running down the eastern side of the site, the cycle storage facilities and visibility splays with Hollow Lane (details of which shall first be submitted to and approved by the Local Planning Authority) have been provided and made available for use. Thereafter, these items shall be maintained for these purposes at all times.
Reason: To provide adequate facilities to promote the use of sustainable modes.
- 14) The School Travel Plan, received on 7 June 2019, shall be implemented in accordance with the submission hereby approved and reviewed on an annual basis. Any amendments identified in the annual review shall be submitted to, and agreed in writing by, the Planning Authority and shall thereafter form part of the approved plan.
Reason: To promote the use of sustainable transport modes, in accordance with paragraph 111 of the National Planning Policy Framework.
- 15) Unless otherwise agreed with the Local Planning Authority, the development shall be undertaken in line with the Recommendations of the approved Ecological Assessment received on 7 June 2019.
Reason: In the interests of protecting and enhancing biodiversity on the site.
- 16) Prior to installation on site, details of any external lighting and enclosure for the sub-station shall be submitted to, and approved by, the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.
Reason: In the interests of biodiversity and the overall design quality of the development.

- 17) The biodiversity enhancements on the site shall include amphibian refuges/hibernacula. Details of these shall first be submitted to, and approved by, the Local Planning Authority. The refuges/hibernacula shall thereafter be installed in accordance with these approved details as part of the implementation of the wider landscaping scheme approved by this permission.

Reason: In the interests of biodiversity and the overall design quality of the development.

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**PLANNING APPLICATION NO. 19/0479/FUL AND LISTED BUILDING
CONSENT NO. 19/0480/LBC - 2 REGENTS PARK, EXETER**

The Principal Project Manager (Development) (PJ) presented the applications for planning permission and listed building consent for the change of use from dwelling/bed and breakfast to Home in Multiple Occupation.

The Principal Project Manager (Development) detailed the internal and external changes as part of the Listed Building consent sought and advised that it would be a car free development and, as such, occupants would not be able to apply for parking permits. Ten objections had been received notably in respect of potential occupation by students which, although possible, it was understood that the intention was to market to the general population, in particular professionals associated with the nearby hospital. It was not anticipated that the property would revert to a single dwelling.

Carl Wills spoke in support of the application. He raised the following points:-

- the applicant is committed to a quality renovation involving the use of traditional construction methods;
- this Victorian property will be converted into an 11 bedroom HMO for working professionals in the area. The intended occupants will be professionals working at the hospital given the close proximity to the RD&E site. The internal works are very minor only removing a few partitions and forming a new opening;
- apart from the new bike store and some light landscaping works the appearance of the existing property will remain unchanged. A sprinkler system will be introduced;
- a site visit took place with the case officer and conservation officer to ensure the proposed works were satisfactory; and
- the impact of the proposal on neighbouring properties will be very low as the proposal will be setup with adequate cycle storage for the occupants. There will be a few spaces for visitors and deliveries.

Members welcomed the proposal which would provide housing opportunities for the wider public especially those seeking a residence with no garden and who did not own a car. A Member suggested the potential opportunity for co-living given the proximity of the University's St. Luke's campus.

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

The recommendation was moved and seconded.

RESOLVED that the change of use from dwelling/bed and breakfast to Home in Multiple Occupation be **APPROVED**, 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 2 April 2019 (dwg nos. 0259_REG_EX_1.0; 0259_REG_PL_2.0 rev A; 0259_REG_PL_2.1 rev A; 0259_REG_EX_3.0 & 0259_REG_PL_3.0) as modified by other conditions of this consent.

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

- 3) Prior to the occupation of the development, details of the secure covered cycle parking and refuse storage areas shall be submitted to and approved in writing by the Local Planning Authority and maintained in accordance with the approved details at all times.

Reason: To provide adequate cycle and refuse storage facilities.

- 4) No site machinery or plan 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 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;

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

RESOLVED that Listed Building Consent for the change of use from dwelling/bed and breakfast to Home in Multiple Occupation be APPROVED subject to the following conditions:-

- 1) The works to which this listed building consent relate must be begun not later than the expiration of three years beginning with the date on which this consent is granted.

Reason: To comply with Section 18 of the Planning Listed Building and Conservation Areas Act 1990 as amended.

- 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 2 April 2019 (dwg nos. 0259_REG_EX_1.0; 0259_REG_PL_2.0 rev A; 0259_REG_PL_2.1 rev A; 0259_REG_EX_3.0 & 0259_REG_PL_3.0) as modified by other conditions of this consent.

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

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LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Service Lead City Development was submitted.

RESOLVED that the report be noted.

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APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

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SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 17 September 2019 at 9.30 a.m. The Councillors attending will be Mitchell, Morse and Pierce.

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UPDATE SHEET

(The meeting commenced at 5.30 pm and closed at 8.20 pm)

Chair

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HISTORY OF SITE

13/3961/31 - Screening opinion for proposed housing development.

13/4802/01 - 120 dwellings with associated infrastructure and open space (all matters reserved for future consideration apart from access). **This application was subsequently allowed on appeal following a Public Inquiry in September 2014.**

14/0789/01 - 120 dwellings with associated infrastructure and open space (all matters reserved for future consideration apart from access). Duplicate application – withdrawn by applicant following appeal decision above.

15/1176/03 - Deletion of Condition 12 and replacement with alternative conditions to reflect changes in the Government's position with regard to the Code for Sustainable Homes. (Minor material amendment to Planning Permission Ref No. 13/4802/01 granted on appeal by Inspector's decision letter dated 29/10/2014). Approved 23/02/2016.

16/1576/OUT - Outline application for the phased development of up to 120 dwellings (C3) with associated infrastructure and open space (all matters reserved for future consideration apart from access). Approved 12/06/17.

18/1177/RES - Approval of reserved matters for the appearance, landscaping, layout and scale for 30 dwelling units, which comprises the first phase of the development. This phase is the Southwestern parcel of the outline approved development site located between Bickleigh Close and Church Hill. (Pursuant to outline planning permission granted on 12th June 2017, reference 16/1576/OUT). Approved 16/01/2019.

DESCRIPTION OF SITE/PROPOSAL

The application site comprises the larger part of a site that straddled Church Hill for which outline planning permission for residential development was granted under application reference 16/1576/OUT for up to 120 dwellings. This larger parcel of land extends to approximately 6.63 hectares and is located to the east of Church Hill. It is surrounded by existing residential development to the north-east, east (Bindon Road and Broadparks Avenue/Close) and south (Danesway), and to the west by Church Hill and a series of detached properties including the original complex of Home Farm buildings. To the north of the site lies open land. The site boundaries consist of predominantly of hedgerows between the previous agricultural land and surrounding dwellings, apart from where the buildings and boundary walls of the original Home Farm complex form the boundary.

The access arrangements to serve the residential development were approved as part of the outline consent and comprised access to the parcel subject of this application via a new junction off Church Hill along with improvements to Church Hill comprising partial widening and traffic calming measures. Phase 1 of the development (comprising 30 dwellings), which has detailed approval and is under construction, will ultimately be served off Bickleigh Close.

This application seeks 'reserved matters' approval for the layout, scale, appearance and landscaping for the remainder of the site (Phase 2) comprising 90 dwellings is now sought for 90 dwellings (14 x 2bed, 30 x 3bed, 24 x 4bed and 22 x 5 bed). The house types comprise a mix of detached, semi-detached and terraced dwellings with on-plot parking. The layout of the site is consistent in broad terms with the 'illustrative masterplan' submitted at outline stage. The new road into the site leads to a number of cul-de-sacs branching off it on

the northern part of the site, and then extends into the southern part of the site with dwellings on one side facing some of the open space before changing to have houses on both sides on the lower half of the site.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting information -

- Design Compliance Statement

REPRESENTATIONS

11 objections/representations have been received raising the following issues –

- Too much development in Pinhoe
- Boundary treatments/loss of hedgerows
- Separation distances between dwellings
- Planting between existing and proposed dwellings
- Overlooking/finished floor levels – lack of information
- Drainage arrangements, esp. surface water and impact on Church Hill with flooding
- Prominence of buildings in landscape setting – heights, roof pitch etc.
- Affordable housing provision
- Departure from illustrative Masterplan submitted at outline stage
- Contrary to surrounding character, esp. 3 storey dwellings
- Contrary to Planning Inspector's decision on outline
- Dwelling orientation – views, energy implications
- Impact on setting of Listed Buildings (Home Farm,
- Pedestrian linkages to Phase 1
- Implications of road closure upon residents
- Lack of consultation
- Access arrangements – increased traffic, road not wide enough, roads can't cope - impact on highway safety
- Access for potential disabled residents – levels
- Should include more bungalows to reduce impact on listed buildings and overlooking generally
- Design/layout not respect/reflect rural character of site
- Flooding
- Shouldn't be developed at all – meet demand for houses somewhere else

Revised Plans

Following the receipt of revised plans further consultation resulted in a further 7 objections/representations (mostly from people who had already submitted representations) raising the following issues –

- Loss of light due to proximity of buildings
- Re-iterate drainage concerns
- Extra noise and pollution
- Overlooking

- Materials muted colours
- Re-iterate concerns regarding visual impact of 3 storey dwellings
- Re-iterate impact on listed buildings
- Acknowledge some improvements in respect of overlooking issues
- Boundary treatments – need clarity
- Concerns about traffic impact on Church Hill and access remain

CONSULTATIONS

DCC (Lead Local Flood Authority - LLFA) – Initially stated that insufficient information had been submitted to demonstrate that all aspects of the surface water drainage management plan have been considered. Further information was requested and discussions between the developer and the LLFA are on-going in relation to matters of detail. In this respect any matters of detail still outstanding can be addressed through the discharge of the relevant condition attached to the outline approval which requires details of the drainage to be agreed separate to this reserved matters application.

County Head of Planning, Transportation and Environment (Highways) – Highlights the following and raises no objection subject to suggested conditions –

“The internal road layout has been progressed in liaison with the Highway Authority and is broadly acceptable. It is pleasing to see that continuous footways have provided to serve properties within the site, with some of the principles of Phase 1 of the site being carried through from the adjacent site.”

Other detailed comments in relation to specific transportation related matters are referred to in the ‘Observations’ section later in this report.

Environmental Health – No comments.

SWW – Confirm drinkable water supply can be provided to site and comment on foul and surface water requirements.

Police Architectural Liaison Officer – No objections. Welcome fact that principles of ‘Secured by Design’ and ‘Safer Places’ have been considered. Comments on natural surveillance, boundary treatments, footpaths and window/door types. 19/09/19 – further comment provided in respect of the LEAP, referring to natural surveillance from adjacent plots, need for clear access routes which will encourage use and additional natural surveillance.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework 2018

Exeter Local Development Framework Core Strategy 2012

CP1 – Spatial approach

CP3 – Housing development

CP4 – Housing density

CP5 – Meeting housing needs

CP7 – Affordable housing

CP9 – Strategic transport measures to accommodate development

CP10 – Community facilities
CP11 – Pollution and air quality
CP12 – Flood risk
CP13 – Decentralised energy networks
CP14 – Renewable and low carbon energy
CP15 – Sustainable design and construction
CP16 – Strategic green infrastructure
CP17 – Design and local distinctiveness
CP18 – Infrastructure requirements and developer contributions
CP19 – Strategic allocations for growth

Exeter Local Plan First Review 1995-2011 Saved Policies

AP1 – Design and location of development
AP2 – Sequential approach
H1 – Housing land search sequence
H2 – Housing location priorities
H3 – Housing sites
H6 – Affordable housing
H7 – Housing for disabled people
L4 – Provision of playing pitches
T1 – Hierarchy of modes of transport
T2 – Accessibility criteria
T3 – Encouraging use of sustainable modes of transport
T10 – Car parking standards
C2 – Listed buildings
C5 – Archaeology
LS1 – Landscape setting
EN2 – Contaminated land
EN3 – Air and water quality
EN4 – Flood risk
EN5 – Noise
DG1 – Objectives of urban design
DG2 – Energy conservation
DG4 – Residential layout and amenity
DG5 – Provision of open space and children's play areas
DG6 – Vehicle circulation and car parking in residential developments
DG7 – Crime prevention and safety

Exeter City Council Supplementary Planning Documents

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

Exeter Draft Development Delivery Development Plan Document 2013

DD9 - Housing on unallocated sites
DD21 - Accessibility and sustainable movement
DD30 - Protection of landscape setting areas

OBSERVATIONS

The principle of residential development of this land, and the means of vehicular access to serve it including works to Church Hill, were considered and agreed/approved as part of the outline consent granted. Therefore these matters are not open for reconsideration as part of this reserved matters application which only seeks approval for the detailed design of the development with regard to the scale and layout of the development, its appearance and the associated landscaping. The Design Compliance Statement submitted in support of the application sets out how the details of the proposal have been developed having regard to the outline planning permission granted and the site constraints. The site levels vary considerable across the site, both in an east-west and north-south direction and this has heavily influenced the proposed layout, particularly the gradient of the road into the site from the agreed access off Church Hill.

Scale and Layout

The outline approval was for up to 120 across the entire site and didn't set any specific maximum or minimum numbers of dwellings for the two distinct parts of the overall site. The 1st phase on the other side of Church Hill comprises 30 dwellings. The proposed layout for this 2nd phase delivers the remaining 90 dwellings. Therefore, in considering the scale of development proposed within this phase the proposal is in principle consistent with the outline approval and the scale of development proposed across the overall site, in respect of number of houses. The details will be considered in the context of the Council's Residential Design SPD advice and other relevant material planning considerations.

Although the means of vehicular access to serve the site have already been approved and do not form part of the details for which approval is now sought, the internal road layout and parking arrangements are elements of the layout that require approval. The means of access into the site comprises a new T-junction onto Church Hill just above the existing access to Home Farm. Due to Church Hill itself being at a significantly lower level than the site at the point of access, the access road has to rise as it goes into the site to catch up with existing ground levels. A series of further internal estates roads will lead off this section of road to serve the properties on the northern and southern parts of the site. In respect of the access and internal road layout DCC as Highway Authority commented as follows in their consultation response –

“There is one primary point serving this parcel, a T-Junction off Church Hill has been accepted and agreed through the S278 process. In addition to this primary access point, there are dropped kerb access points serving driveways. The roads designed are curved in nature together with tight radii (it is noted that drawing 17076 - PH2 - SPA - 01 B {displaying refusing tracking} shows 4m radii), thereby reducing the speeds of vehicles on the internal road layout and shortening crossing distances for pedestrians, something that is promoted by Manual for Streets.”

Following comments at the Delegation Briefing meeting the Council's Cleansing and Fleet Manager was consulted on the proposals and provided clarification of the Council's policy regarding refuse collection and vehicles used. The applicant has since provided tracking drawings demonstrating that refuse vehicles (and other similar sized large vehicles) can successfully manoeuvre throughout the site, and get to within the required 25 metres of all designated refuse collections points. The Highway Authority are satisfied with the tracking details submitted.

Parking provision at a ratio of a minimum of 2 spaces per dwelling has been provided predominantly on plot with some smaller areas of courtyards/communal parking areas. This approach and level of provision is considered acceptable having regard to the site's location, relevant advice in the Council's Residential Design and Sustainable Transport SPD, and the site's constraints.

A pedestrian/cycle connection will be provided from the lower section of the site linking into Broadparks Avenue and this will provide an alternative route for pedestrians and cyclists that avoids the majority of Church Hill. Approval of the detailed design of this connection will be secured via an appropriate condition as recommended by the Highway Authority. The new main access road into the site has footpaths on either side. Other than this there is no opportunity to provide a direct connection to Church Hill due to intervening land ownerships and prohibitive level changes. In terms of pedestrian permeability the Highway Authority commented as follows in their consultation response –

“It is particularly pleasing that a high level of pedestrian permeability has been provided within the site. To ensure North-South permeability 2m footways are provided throughout the site. Where a footpath isn’t provided on one side of the road, such as between plots 37-44, suitable crossing points have been provided to ensure pedestrians have an appropriate facility.”

The Highway Authority have considered the road layout within the site, along with the level of parking provision, and have raised no objection to the details proposed. Cycle storage is provided within sheds within gardens, as well as potentially within the garages on larger plots.

Existing ground levels vary significantly across the site, both east to west and north to south, and have been a major constraint upon the layout in terms of providing roads of acceptable gradient and suitable access to individual dwellings. The majority of the dwellings are 2 storey in height apart from two wheelchair accessible bungalows and a run of 3 storey houses as originally proposed on the northern part of the site. There have been extensive negotiations in respect of the relative levels of the proposed dwellings to surrounding land and existing properties from both a visual impact and residential amenity perspective. Visually confirmation was sought that the dwellings on the higher part of the site, and particularly the 3 storey units proposed, would not be significantly higher than surrounding properties and hence be unduly prominent from distant vantage-points back to the site. Whilst sections based on accurate survey information on ground levels and ridge heights of existing properties have demonstrated that this will not be the case, in response to concerns about the visual dominance of the 3 storey units (including representations from the public), the scheme has been amended to replace some of those units with 2 storey properties. It is considered that this improves the visual impact of this part of the site introducing variety on height and greater interest. Given the topography of the site it is inevitable that the development will be prominent on this hillside location but based on the information submitted the proposals are considered acceptable in this respect.

Through a combination of the positioning and orientation of the proposed dwellings, location of windows and careful consideration of finished floor levels, it has, following extensive negotiations, been possible to achieve a satisfactory relationship between the proposed houses and existing dwellings surrounding the site. Developing these previously agricultural fields for housing will inevitably change the outlook for existing residents and mean that they won’t have the same degree of privacy or open outlook that they have enjoyed to date. However, acknowledging the difference in levels between the proposed and existing dwellings surrounding the site, given the separation distances achieved, and the relative orientation of the properties the proposed relationships are considered acceptable from a residential amenity perspective.

In terms of internal space standards the house types proposed in this application are broadly in accordance with the National Space standards published by the DCLG in March 2015. Consequently the proposal is considered acceptable in this respect.

All of the dwellings, apart from the single FOG (flat over garage) are provided with private gardens, the majority of which comply with the space standards advocated in the Council's adopted Residential Design SPD. In the context of achieving an overall layout that is acceptable in design terms the level of private amenity space provision across the scheme is considered acceptable.

The layout includes affordable housing provision spread across the site in line with the requirements of the S106 agreement entered into at the time the outline permission was granted.

Open space is provided in 3 locations across the site, with one on the southernmost part of the site, one approximately in the middle (which incorporates a belt of existing vegetation running down through the site) and the largest area at the top on the most northern part of the site. The latter two incorporate surface water attenuation features consistent with the surface water drainage strategy set out as part of the outline permission. The largest open space on the northern part of the site also includes an equipped children's play area, and this and the open spaces will be maintained by a Management Company.

Setting of the listed buildings.

The site is adjoined by two listed buildings, Home Farm and Jonas Pyne (No. 22 Church Hill). Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Paragraph 193 of the NPPF requires great weight to be given to the conservation of heritage assets, including listed buildings. Paragraph 194 advises that the significance of the asset can be harmed or lost through development within its setting.

This issue was considered by the Planning Inspector when the outline permission was granted on appeal. In respect of Home Farm the Inspector commented as follows –

“The existing curtilage buildings within Home Farm largely screen the house in views from the north and east. Due to the height of the hedges and banks, views from the west are limited to the access point. The land to the south of the access does not form part of the appeal site and would be retained in its current open form. The illustrative plan shows an area of open space to the north of the existing access. Therefore the open aspect that contributes to the setting of Home Farm in views from the west would be retained.”

Whilst the layout now submitted includes dwellings on the land north of the access they are located with gardens backing onto the access to Home Farm and a new hedgerow boundary. It is considered that this approach maintains appropriate views of Home Farm from the west and does not have a significant adverse impact on the setting of this listed building in this respect. In respect of the proposed development around the other boundaries of Home Farm, having regard to the design/layout proposed, existing curtilage buildings to Home Farm, relative levels and separation distances achieved, it is considered that the development as now proposed would not cause significant harm to the setting of Home Farm as a listed building and is acceptable in this respect.

In respect of Jonas Pyne the Inspector commented as follows –

“Jonas Pyne fronts onto Church Hill. It dates from the early 19th century. It has a roughcast finish with thatched roof. Views of this listed building are confined to Church Hill and the appeal site does not make a significant contribution to its setting. Consequently the appeal proposal would not harm the setting of this building.”

The submitted layout is broadly consistent with Illustrative Masterplan submitted at outline stage in terms of the location and form of development to the rear (north) of both Home Farm and Jonas Pyne. There will inevitably be a change in the character of the land surrounding these buildings, from agricultural land to built development in the form of housing. However, having given special regard to the desirability of preserving these listed buildings and their setting, in the context of this changing character resulting from the granting of the outline approval it is not considered that the proposals would have a significant adverse impact on the setting of these listed buildings. Thereby the proposals are considered acceptable in this respect.

Appearance and Landscaping

In terms of appearance the submitted details demonstrate a traditional design approach comprising pre-dominantly 2 storey dwellings with gable ends. There are a small number of 3 storey properties on the northern part of the site.

A mix of brick and render external finishes are proposed for the exterior walls of the dwellings, with a mix of tile and slate roof finishes. A proportion of dwellings across the site will also incorporate chimneys providing further visual interest to the roof scape of the development. The design and external appearance of the proposed dwellings is considered acceptable having regard to the context of the site's location

A variety of boundary treatments will be utilised across the site. Perimeter hedgerows around the site are to be retained as the rear boundaries to properties backing onto them. A condition is proposed requiring approval of the details of the works to/management of those hedgerows and erection of associated boundary treatments. Other boundaries will comprise a mix of brick screen walls, timber fencing, hedges and metal railings.

Within the site front garden areas to all dwellings will be provided with landscaping, along with additional trees, new hedgerows and shrub planting to public areas including trees to soften the visual impact of the parking provision and enhance the overall appearance of the development. Rear gardens will comprise a mix of patio areas and grass.

Embankments within the site and public areas forming part of the layout, along with the surface water attenuation features will be landscaped with trees, grass and wildflower planting. The attenuation feature itself will be landscaped with appropriate swale/pond planting.

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.

Delegation Briefing (27/08/19)

Members were advised that the application would be presented to a forthcoming Planning Committee for determination due to the level of representations received in respect of both the originally submitted and revised plans. Members noted that this proposal comprised phase 2 of development originally allowed on appeal following a Public Inquiry, with

construction of phase 1 already well underway. It was also noted that levels were a significant constraint to the layout design. Members discussed pedestrian/cycle connectivity and requested that the layout be 'run past' the Council's Cleansing and Fleet Manager in respect of refuse collection.

CIL

Allowing for the relevant relief in respect of the social housing, the proposal will generate the following CIL contribution - £1,208,635.80p.

Conclusions

Overall the details relating to the reserved matters of scale, layout, appearance and landscaping for which approval is sought via this application are considered acceptable. The layout and details proposed are considered an appropriate response to the site's context, and the significant constraints relating to the variation in levels across the site and the recommendation is therefore one of approval. It is considered that given the visual prominence of the site, the juxtaposition of proposed dwellings to each other and surrounding existing properties, and relative levels, that it would be appropriate to restrict 'permitted development rights' relating to roof extensions across the site as a whole and for other extensions/alterations on particular plots in the interests of residential amenity.

RECOMMENDATION

Approval subject to conditions as follows: -

1) All conditions imposed on application number 16/1576/01 are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.

Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on date 19th February, 5th July, 30th August and 2nd, 10th and 12th September 2019 dwg. nos. LP.01 Rev B, SL.01 Rev C, ML.01 Rev D, GSL.01-2 Rev C, RS.01 Rev D, BSL.01 Rev C, SS.01 Rev C, 2162 04 C, 2162 05 C, 2162 06 C, 2162 07 C, 2162 08 C, 2162 09 B, 2162 10 A, PLL.01 Rev B, SEC.01 Rev C, SEC.02 Rev A, SEC.03 Rev B, HT.C_1.pe Rev B, HT.C_2.pe Rev B, HT.C_3.pe Rev C, HT.C_4.pe Rev A, HT.D.p Rev B, HT.D.e Rev B, HT.E.p Rev B, HT.E_1.p Rev A, HT.E1.e Rev B, HT.E_2.e Rev B, HT.E_3.e Rev B, HT.E_4.e Rev B, HT.E_5.e Rev A, HT.F.p Rev B, HT.F.e Rev B, HT.G.p Rev C, HT.G_1.e Rev C, HT.G_2.e Rev B, HT.G_3.e Rev B, HT.G_A.p Rev C, HT.G_A1.e Rev C, HT.G_A2.e Rev B, HT.H.p Rev B, HT.H.e Rev B, HT.H.p Rev A, HT.H.e Rev A, HT.J.p Rev A, HT.J.e Rev A, HT.1.pe Rev C, HT.2.pe Rev B, HT.2_1.pe Rev B, Ht.2B_1.pe Rev C, HT.2B_2.pe Rev C, HT.3B-1.pe Rev D, HT.3B.pe Rev B, HT.2b-V1.pe Rev C, HT.2BFOG.p Rev B, HT.2BFOG.e Rev B, HT.2BBUNG.p Rev B, HT.2BBUNG.e Rev D, GAR_1.pe Rev B, GAR_2.pe Rev A, GAR_3_1.pe Rev A, GAR_3_2.pe Rev A, GAR_3_3.pe Rev A, GAR_4.pe Rev A, GAR_4_2.pe Rev A, GAR_5.pe Rev A, GAR_6.pe Rev A, 17076/PH2-PL01 C, 17076/PH2-PL02 B, 17076/PH2-PL03, 17076/PH2-PL04, 17076/PH2-PL05, 17076/PH2-PL06, 17076/PH2-PL07, 17076/PH2-PL08 and 17076/PH2-PL09, as modified by other conditions of this consent.

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

3) No individual dwelling comprised in the development hereby approved shall be occupied until secure cycle storage in the form of a shed within the garden as indicated on drawing no. BSL.01 Rev C has been provided and made available to serve that dwelling.

Reason - To ensure that facilities are provided for cycle storage to serve each property in the interests of encouraging the use of sustainable modes of transport.

4) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and any Order revoking and re-enacting that Order with or without modification, no development of the types described in the following Classes of Schedule 2 shall be undertaken on any dwelling within the development without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

Part 1, Class A extensions and alterations

Part 1, Classes B and C roof addition or alteration

Part 1, Class E swimming pools and buildings incidental to the enjoyment of the dwelling house

Part 1 Class F hard surfaces

Reason: In order to protect residential and visual amenity and to prevent overdevelopment.

5) Notwithstanding the details shown on drawing no. ML.01 Rev D all the existing hedgerows on site shall be maintained and managed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The submitted details will be expected to demonstrate how the hedgerows will be managed to secure their long term retention and health, and how any additional boundary treatments alongside them will be erected so as not to compromise them in the future.

Reason: In the interests of the privacy of the occupants of both existing properties adjoining the site and the proposed properties, the visual amenities of the area and the ecological interest of the site.

6) No more than 50% of the dwellings hereby approved shall be occupied until the pedestrian/cycle connection to Broadparks Avenue has been approved in accordance with detailed plans which shall previously have been submitted to and approved in writing by the Local Planning Authority. Thereafter the said pedestrian/cycle connection shall be retained for that purpose at all times.

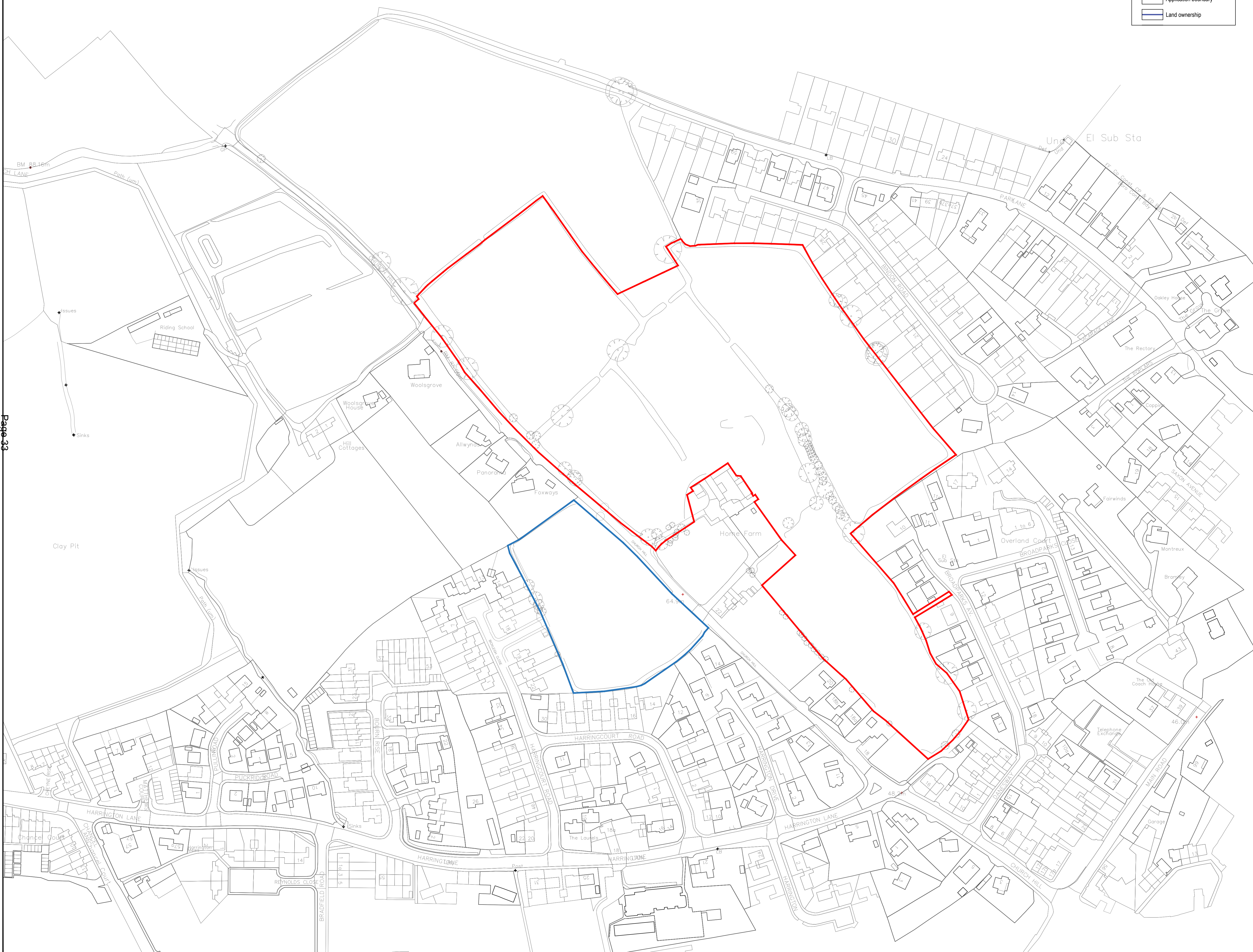
Reason: To provide a safe and suitable access for pedestrians and cyclists in accordance with Paragraph 108 of the NPPF.

7) No part of the development hereby approved shall be brought into its intended use until the steps adjacent to plots 103/105 have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a safe and suitable access for pedestrians and cyclists in accordance with Paragraph 108 of the NPPF.

8) Notwithstanding the details indicated on the plans hereby approved a footway adjacent to plot 63 shall be constructed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority prior to the first occupation of plots 56 to 63.

Reason: To provide a safe and suitable access for pedestrians in accordance with Paragraph 108 of the NPPF.



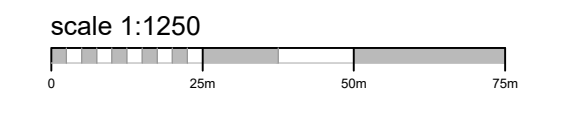
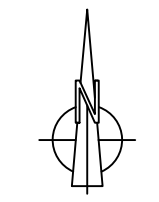
LAYOUT KEY:

- Application boundary
- Land ownership

NOTES

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 Licence No. 100007359. DO NOT scale from this drawing.
 Contractors, Sub Contractors and Suppliers are to check all relevant dimensions and levels of the site and building before commencing any shop drawings or building work. Any discrepancies should be recorded to the Architect.
 Where applicable this drawing is to be read in conjunction with the Consultants' drawings.

| REV | DESCRIPTION | DATE | AUTHOR | CHKD |
|-----|-------------------------------|----------|--------|------|
| A | Updated to 'Planning' status. | 28/11/18 | RP | - |
| B | Red line amended. | 23/05/19 | RP | - |



B
BURRINGTON
 ESTATES

PLANNING



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 Building 300, The Grange, Romsey Road, Michelmersh, SO51 0AE
 t: 01794 367703 f: 01794 367276 www.thrivearchitects.co.uk

PROJECT
 Church Hill, Pinhoe
 Exeter
 For: Burrington Estates

DRAWING
 Location Plan

| SCALE | DATE | AUTHOR | CHK'D |
|------------|--------|--------|-------|
| 1:1250@ A1 | Nov'18 | RP | - |

| JOB NO. | DRAWING NO. | REV |
|------------|-------------|-----|
| BURR170725 | LP.01 | B |

CLIENT REF.

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Committee Date: 30/09/2019

APPLICATION NO: 19/0921/FUL

APPLICANT: Ms J Hughes

PROPOSAL: Use of agricultural land for keeping of horses and construction of two stables.

LOCATION: Land at Monmouth Street, Topsham, Exeter, Devon

REGISTRATATION DATE: 08/07/2019

HISTORY OF SITE

Two outline applications, one for 80 residential units the other for 72, were withdrawn in 1988 (88/0798/OUT) and 1989 (89/0771/OUT) respectively.

Another outline application for 27 houses and 6 flats was refused in 1993 (93/0684/OUT) as it was considered the application was contrary to the Exeter Local Plan First Alteration because:-

1. *Policy 1A seeks to protect Grades 1, 2 and 3A of agricultural land. PPG7 states that 'considerable weight should be given to protecting such land against development because of its special importance'. The applicants selective quotes from PPG7 ignores that the relaxation in the protection of agricultural land is primarily directed at the lower grades. Because there is no opportunity to use lower grade land is irrelevant.*

2. *It is not considered that the proposal as now submitted respects the integrity of the historic street pattern of Topsham and the character of individual streets and this remains contrary to Policy 3C. The application has been submitted in outline form with matters relating to design and external appearance being reserved for further consideration. The applicants have stated that indicative elevations can be submitted if required but it is understood that these are not at present available. Without a full planning submission the proposal remain contrary to Policy 4C. The proposals do not preserve or enhance the Conservation Area and are accordingly contrary to Policy 5C*

3. *Policy 7LS states that in considering proposals for development the Council will have particular regard to the conservation of wildlife and the ecology of the area. The implications that only part of the site is of interest in nature conservation terms is incorrect. The site adjoins a Site of Nature Conservation Interest (SNCI) as defined by the Exeter Local Plan First Alteration but is within a site of Local Interest for Nature Conservation (SLINC). Both SNC's and SLINC's were identified by a survey in 1989 carried out by English Nature and the City Council.*

4. *Policy 5H of the Local Plan states that the Council will not normally permit residential development beyond the urban limit other than through conversion unless the development is required in the interests of agriculture. The site is beyond the urban limit. The only exceptions that could be justified would be if there were a substantial shortfall from a 5 year supply of housing land. PPG3 on housing states that where land availability satisfies the 5 year requirement this will strengthen the weight to be attached to the policies of the Plan. At March 1993 there was an 11 year supply of land for housing in Exeter. Government advice is that the calculation of land availability relates to the whole of an authority's area and that it is not appropriate to consider the shortfalls in particular parts of the area.*

5. Policy 1LS states that in the Green Protection Areas and the Green Wedges only the following development will normally be allowed:-

- (a) development essential for the purpose of agriculture or forestry
- (b) outdoor recreation which accords with Policy 3LS
- (c) proposals for the diversification of the rural economy which do not detract from the rural character of the area
- (d) the change of use or conversion of existing buildings providing the form, bulk and general design are in keeping with their surroundings and provided the proposed use does not detract from the open character of the area.

Any major encroachment into the Green Protection Area would undoubtedly create a precedent for other unjustified encroachments elsewhere in the City. The land is given the notation as a whole and not in isolated unrelated pockets.

6. Great emphasis has been centred in the applicant's supporting information on the Topsham Conservation and Planning Study. This Study was prepared within the context of the Policies of the Exeter Local Plan First Alteration and makes no proposals for housing on any part of the May's Field site. To the contrary the Study encourages the enhancement and development of the area for open space, leisure and wildlife study only with no reference to housing development.

DESCRIPTION OF SITE/PROPOSAL

The application site comprises three agricultural fields, totalling 3.7ha, located adjacent to Monmouth Street and Bowling Green Road. Known locally as 'Mays Field', it sits within the Topsham Conservation Area, is an area of Landscape Setting and a Site of Local Interest for Nature Conservation.

The proposal is to change the use from agriculture to the keeping of horses (Sui Generis) and the construction of two stables. Although the proposal description suggests two buildings, the application is for a single stable block that would incorporate two stables. The stable block would be located in the field farthest from Monmouth Street and be constructed in timber with a footprint of 30sqm. The proposal would have a felted pitch roof with a height to eaves of 2.43m and height to ridge of 3m. The stable block would also have a 0.84m overhang to the front which would provide cover to the 2 stable doors. The development would utilise an existing access located at the top end of Monmouth Street on the Junction to Bowling Green Road and a track through the wooded area of the field closest to the entrance gate.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Design and Access Statement

REPRESENTATIONS

55 letters/emails of objection received. Principal issues raised as follows:-

1. The application would be 'the thin end of the wedge' for further, more significant, development on the site in the future.
2. Increased traffic resulting from horse boxes/horse owners visiting the site would present a danger to cyclists and pedestrians using the cycle path.
3. No consideration has been given to the sites wildlife and how the introduction of horses will impact species and soil/vegetation quality.
4. The application does not include sufficient detail of:
 - how water/feed will be made available at the site
 - how horses will be tended to without electricity for lighting in darker months

- how horse waste will be dealt with to reduce the potential for vermin/rodents and odour
5. The site is not suitable for keeping horses as:
 - there is no local need in Topsham for the riding of horses or adequate routes for riding
 - a hardstanding would be required to box up the horses to ride elsewhere
 6. The Design and Access Statement is inaccurate as:
 - the site has not been used for the keeping of livestock and was previously an orchard
 - the proposal would be visible from nearby streets and the rears of private properties
 7. The proposal does not give adequate attention to the drainage of the site.
 8. Horse stables will not contribute to the appearance of character of the Topsham Conservation Area.

CONSULTATIONS

Devon County Council Highways raise no objection –

The application is supported by a planning statement which states that the existing vehicular access from Monmouth Street will be used. The level of movement is expected to be very low, and I would agree that it does not have a major, or indeed severe impact to constitute a reason for refusal. Furthermore, there have been no accidents recorded at this access point in the past 5 years.

Environmental Health raise no objection –

Rodents and other vermin could be present on the agricultural land already. The presence of horse waste may provide additional food and harbourage for them, but so could a domestic compost bin. As with any site, the landowner/occupier should manage rodents.

It would make sense to ask the applicant to confirm that they will manage any vermin on site but more than that would probably be disproportionate given that rodents could already be present on the land and in the surrounding areas.

Principal Project Manager (Place Making) raises no objection –

I couldn't find a view of the site of the proposed stable from a public view and given the modest size of the building and its discrete location it seems unlikely that it would have a significant impact. It would be useful to know if there are plans to provide more stables in the foreseeable future or proposals to enlarge or upgrade the existing access and track.

In any event, I think that it is important that the stable is designed and constructed to a high standard and therefore details should be provided.

Principal Project Manager (Heritage) raises no objection –

This site is located within a part of the Topsham Conservation Area that is predominantly open in nature, notwithstanding the ribbon development along the drive to Mount Howe. The land is open pasture, scrubland and woodland, much of it within the wider setting of Mount Howe (Listed Grade II).

The proposed stables are a relatively small timber built structure, with an upgraded access track. Such developments within open areas, whether themselves within conservation areas or not, around the outside of villages and small towns and indeed cities are not unusual, and are a normal part of the character of such areas. The location and small scale of the building

have only a very minimal - if any - impact on the wider setting of Mount Howe on this side, which remains predominantly open land.

Therefore, with respect to the duties in the 1990 Act, as reflected in saved policies C1 & C2 of the local plan, when making planning decisions to

- a) Pay special attention ...to the desirability of preserving or enhancing the character or appearance of (the Conservation) area, and
- b) have special regard to the desirability of preserving the (listed) building or its setting, and to the policies in the NPPF regarding heritage assets, I would conclude that:
 1. This form and scale of development is consistent with the type of use that characterises many semi-rural open areas on the outskirts of settlement, and does not detract from the essentially open character of this part of the Topsham Conservation Area, and therefore is in line with saved policy C1, and does not cause harm to the Conservation Area as a designated Heritage Asset,
 2. Its small scale and location does not harm the setting of the listed buildings in the area, including Mount Howe, and
 3. Although there is always the theoretical potential for buried archaeological remains to be present, there are no known remains on this particular site, and with minimal ground works involved the impact on any unknown remains is likely to be minimal, if indeed there is any.

Any larger scale development proposals may of course be a different matter, and will be dealt with separately if and when they are submitted.

South West Water -

Made no comments on the application in regard to drainage.

Natural England –

Were consulted directly but no response has yet been received.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework (February 2019)

2. Achieving sustainable development
4. Decision-making
- 11 Making effective use of land
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy (Adopted 21 February 2012)

CP16 Green Infrastructure, Landscape and Biodiversity

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)

- C1 Conservation areas
- L3 Protection of open space
- LS1 Landscape setting
- LS4 Local Nature Conservation Designations/RIGS

Development Delivery Development Plan Document (Publication Version 2015)

DD29 Landscape Setting Areas

Exeter City Council Supplementary Planning Documents

Topsham Conservation Area Appraisal and Management Plan (June 2009)

OBSERVATIONS

The application site is located within an area, identified in the Development Plan, as Landscape Setting. These areas were identified through landscape appraisal studies in 1997 and 1999 for the 'Exeter Local Plan First Review 1995-2011', adopted in 2005, and re-appraised and re-assessed in 2007 through a Landscape Sensitivity and Capacity Study as part of preparatory work for the Core Strategy adopted in 2012.

Policy LS1 of the Exeter Local Plan seeks to ensure that developments within the Landscape Setting areas are reasonably necessary for agriculture, forestry, the rural economy, outdoor recreation or the provision of infrastructure. Both Policy LS1 and Policy CP16 of the Core Strategy state that development within these areas will not be permitted unless it maintains local distinctiveness and character.

A number of objections made reference to the proposal and its impact on visual amenity and the landscape, stating that the proposal was visible from a number of public viewpoints in the locality. However, ECC's Principal Project Manager (Place Making), considered that due to its modest size and discrete location, it would be unlikely to have a significant impact. The Topsham Conservation Area Appraisal and Management Plan also highlights no important views either from or into the application site. Therefore the visual impact is considered negligible and the development is considered to maintain the local distinctiveness and character of this area of Landscape Setting.

The proposal site is designated as a Site of Local Interest for Nature Conservation and a number of objections make reference to the land being host to a range of different species including bats and nesting birds. Whilst it is recognised the land is agricultural and could be used for the keeping of livestock, as the change of the use proposes the keeping of horses, an ecological report has been requested to assess if the proposal would result in harm and if so, that this is kept to a minimum and appropriate mitigation methods are implemented. An ecological report will be submitted prior to the committee date and the requirements of this report to mitigate against any harm will be secured through condition.

Another area of concern for a large number of objectors is the potential impact on highway safety, particularly as the site access is located on a junction which is used by a large number of cyclists. Whilst regular access to the site would be required to tend to the horses, the Highway Authority expect the level of movement to be very low and would not have a major, or indeed severe impact to constitute a reason for refusal. It was also noted that the access point in question had no accidents recorded in the last 5 years. Whilst the concern from residents has been noted, considering the relatively low level of traffic movements that will result from the development, the proposal is considered acceptable in terms of highways safety on the advice from the Highway Authority.

The site is located within the Topsham Conservation Area and Policy C1 of the Local Plan Review, states that development within or affecting a Conservation Area (including change of use) must pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. ECC's Principal Project Manager (Heritage) concluded the proposal was compliant with local policy as the use would be characteristic of

semi-rural open areas on the outskirts of a settlement, would not detract from the open character in this location and would result in minimal, if any, harm to the wider setting of the Grade II Listed Mount Howe.

Part of the site is also recognised as an area of important trees which covers the trees adjacent to the existing access track. The trees on the site are also protected by virtue of being within a Conservation Area. Therefore, the retention of trees on the site is desirable and separate applications would be required for their removal.

A number of objections questioned whether the site was suitable for keeping horses and provided detail on the requirements of keeping horses. Whilst these comments are noted, the development must be assessed against the requirements of the Statutory Development Plan and specifics, including animal welfare, are outside the remit of planning.

Other objectors were concerned with the management of vermin. Environmental Health were consulted on this proposal and advised that whilst the presence of horse waste may provide additional food and harbourage for vermin, so could a domestic compost bin and as with any site, the landowner/occupier should manage rodents.

Councillors previously queried how many horses would be at the site over concerns that the land could be over-commercialised. The agent has since stated that the proposal would provide accommodation for 2 horses. If at any stage complaints are received, or an issue arose, regarding additional horses being brought onto the site, this would have to be re-assessed to determine whether it would constitute a material change of use.

A common theme in the objections was that this proposal was the beginning of more significant development in the near future. Potential future applications cannot be a material consideration in the determination of this application. However it is worth noting that, if approved, the site would fall under the use class of Sui Generis and this particular use class benefits from significantly less permitted development rights than agricultural land meaning that most future development would require further planning applications which would be assessed as appropriate. As using the stable for residential accommodation would be a breach of planning control, restricting this through condition, as suggested, is not considered reasonable.

In summary, it is considered the proposal would have minimal impact on the area of landscape setting or the Topsham Conservation Area and accords with the development plan in that the proposed use is reasonably necessary for outdoor recreation, the stable is modest and essential to the viability of the proposal and, in turn, would preserve the areas character and appearance. Accordingly it is recommended the planning application is approved subject to the conditions set out below.

DELEGATION BRIEFING

09 September 2019 – Members agreed that the principle of the application complied with the Development Plan but required more detail on the number of horses that will be kept on the site as there was concern it could be overly-commercialised if not specified upfront. As there had been 55 objections, the application was recommended for planning committee and Councillors would undertake a site visit before that date.

RECOMMENDATION

APPROVE with the following conditions:

Planning application 19/0479/FUL

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.

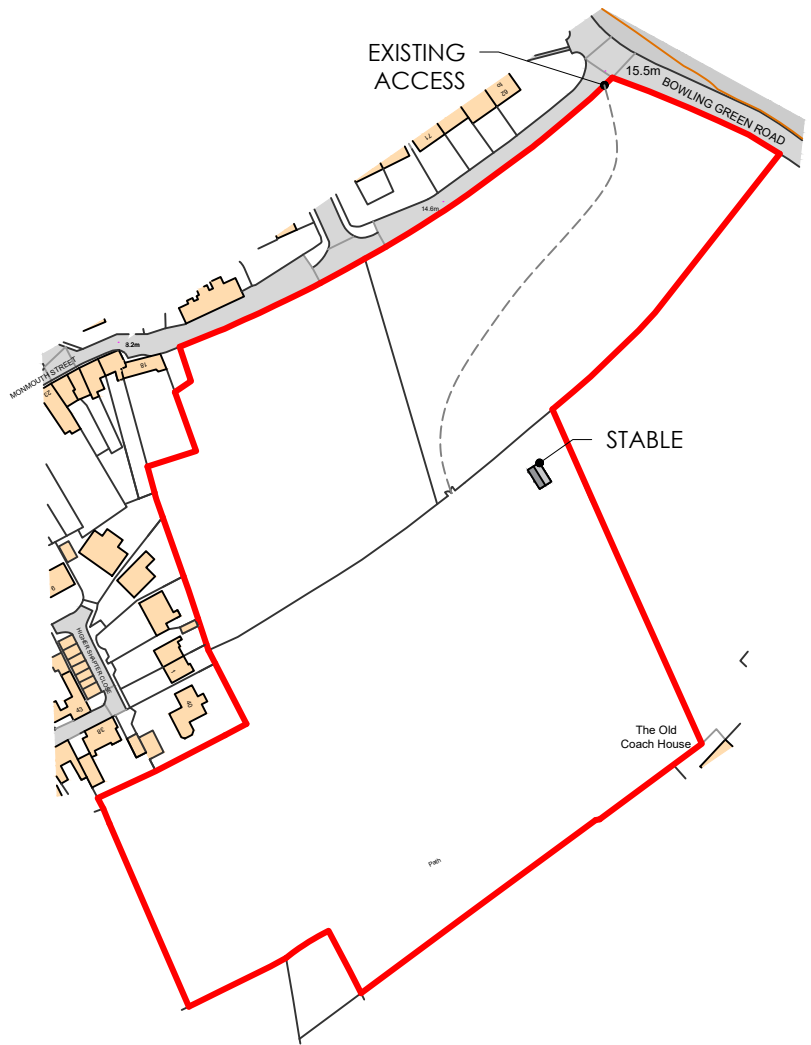
2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 08 July 2019 (including dwgs. LOCATION PLAN 19-013 1-0001 REVISION C and PROPOSED 19-013 0-0001 REVISION A) and 10 September 2019 as modified by other conditions of this consent.

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

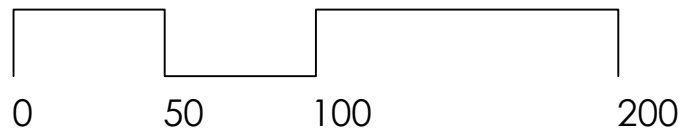
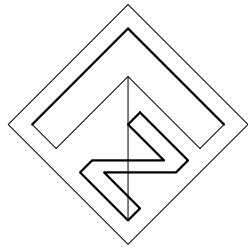
3) The development hereby approved shall be carried out and managed strictly in accordance with the approved measures and provisions of the Ecological Report

Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area in compliance with Policy LS4.

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SCALE BAR 1:2500

LOCATION PLAN

PROJECT
MAY FIELD, TOPSHAM

CLIENT

DATE
28/05/2019

STATUS
EXISTING

SCALE
1:2500 @ A4

PROJECT NO.
19-013

DRAWING NO.
1-0001

REVISION
C

| REV | DATE | DESCRIPTION |
|-----|----------|---|
| C | 28/05/19 | STABLE RELOCATED, BUILDING OMITTED & ACCESS DRIVE ADDED |

16a Architecture Ltd.

The Studio, 16a Fore Street,
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REPORT TO: PLANNING COMMITTEE

Date of Meeting: 30 September 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 22/08/2019 and 19/09/2019**

| Alphington | |
|--|---------------------------------|
| Delegated Decision | |
| Application Number: 19/0622/ADV | Delegation Briefing: |
| Decision Type: Permitted | Date: 24/08/2019 |
| Location Address: 6 Otter Court Manaton Close Exeter Devon EX2 8PF | |
| Proposal: Replace existing warehouse signage with new signage. | |
| Delegated Decision | |
| Application Number: 19/0682/FUL | Delegation Briefing: 06/06/2019 |
| Decision Type: Permitted | Date: 23/08/2019 |
| Location Address: 27 Broadway Exeter Devon EX2 9LU | |
| Proposal: Single storey rear extension | |
| Delegated Decision | |
| Application Number: 19/0935/FUL | Delegation Briefing: 18/07/2019 |
| Decision Type: Permitted | Date: 22/08/2019 |
| Location Address: 3 Blenheim Road Exeter Devon EX2 8SD | |
| Proposal: Single storey rear extension | |
| Delegated Decision | |
| Application Number: 19/0976/ADV | Delegation Briefing: |
| Decision Type: Permitted | Date: 18/09/2019 |
| Location Address: Unit 1 23 Marsh Green Road East Exeter Devon EX2 8PQ | |
| Proposal: Replacement of four fascia signs, one bollard sign, one pylon sign and one directional sign. | |
| Delegated Decision | |
| Application Number: 19/1068/VOC | Delegation Briefing: 15/08/2019 |
| Decision Type: Permitted | Date: 11/09/2019 |
| Location Address: Makro Self Service Wholesalers Ltd Yeoford Way Marsh Barton Trading Estate Exeter Devon EX2 8LB | |
| Proposal: Variation of Condition 2 (Details) and 3 (Operational Hours of Use) of planning application 14/0649/FUL dated 19 June 2014. | |
| Delegated Decision | |
| Application Number: 19/1145/DIS | Delegation Briefing: |
| Decision Type: Permitted | Date: 11/09/2019 |
| Location Address: Plot H Matford Way Exeter Devon EX2 8FN | |
| Proposal: Discharge of condition 15 (CEMP) of planning application 10/0200/01 granted 11 March 2011 specifically in relation to Plot H (approved under reserved matters application 18/1677/RES) | |

Duryard And St James

Delegated Decision

Application Number: 18/1522/NMA Delegation Briefing:
Decision Type: Permitted Date: 27/08/2019
Location Address: 57 Argyll Road Exeter Devon EX4 4RX
Proposal: Render to the existing face brick external walls (whilst maintaining the face brick splashband).

Delegated Decision

Application Number: 19/0703/FUL Delegation Briefing: 18/07/2019
Decision Type: Permitted Date: 10/09/2019
Location Address: Queens Crescent Garden Queens Crescent Exeter Devon
Proposal: Works to boundary walls, new entrance from York Road, and associated works

Delegated Decision

Application Number: 19/0808/DIS Delegation Briefing:
Decision Type: Condition(s) Fully Discharged Date: 12/09/2019
Location Address: East Park University Of Exeter Streatham Campus Exeter EX4 4QJ
Proposal: Discharge of Conditions 3 (external materials) and 5 (detailing) of reserved matters application 18/1185/RES granted 1 November 2018.

Delegated Decision

Application Number: 19/1014/FUL Delegation Briefing: 08/08/2019
Decision Type: Permitted Date: 30/08/2019
Location Address: 7 Culverland Close Exeter Devon EX4 6HR
Proposal: Conversion of existing carport and workshop into home office

Delegated Decision

Application Number: 19/1093/ADV Delegation Briefing:
Decision Type: Permitted Date: 02/09/2019
Location Address: Co Op Food Store Old Tiverton Road Exeter Devon EX4 6LG
Proposal: 1 x internally illuminated projector; 2 x internally illuminated logo; 1 x non-illuminated acrylic letters; 1 x non-illuminated wall mounted aluminium panel and 4 x non-illuminated post mounted aluminium panels.

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| Delegated Decision | |
| Application Number: | 19/1146/TELN |
| Decision Type: | Permission not required |
| Location Address: | Marypole Head Pennsylvania Road Exeter EX4 |
| Proposal: | Notification under Regulation 5 of the Communications Code Restrictions and Conditions (Communications Act 2003) (as amended) in respect of the installation and relocation of some apparatus on the existing lattice mast. |

Exwick

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| Delegated Decision | |
| Application Number: | 19/0400/FUL |
| Decision Type: | Permitted |
| Location Address: | 17 Coventry Road Exeter Devon EX4 2DW |
| Proposal: | Creation of a front porch and partial excavation of the rear garden area to provide a single-storey, rear, extension to dwellinghouse. |

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| Delegated Decision | |
| Application Number: | 19/0951/FUL |
| Decision Type: | Permitted |
| Location Address: | Rededowne Redhills Exeter Devon EX4 2JF |
| Proposal: | Construction of detached garage, front boundary alterations and raised decking in rear garden. |

Heavitree

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|---------------------------|--|
| Committee Decision | |
| Application Number: | 19/0479/FUL |
| Decision Type: | Permitted |
| Location Address: | 2 Regents Park Exeter Devon EX1 2NU |
| Proposal: | Change of use application from dwelling/bed and breakfast to House in Multiple Occupation. |

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|---------------------------|--|
| Committee Decision | |
| Application Number: | 19/0480/LBC |
| Decision Type: | Permitted |
| Location Address: | 2 Regents Park Exeter Devon EX1 2NU |
| Proposal: | Minor internal alterations including removal of fireplace, new internal openings and removal of glass panels to stair. |

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| Delegated Decision | |
| Application Number: | 19/0778/FUL |
| Decision Type: | Permitted |
| Location Address: | 5 St Loyes Road Exeter Devon EX2 5HD |
| Proposal: | Proposed new dwelling and associated works. |

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| Delegated Decision | |
| Application Number: | 19/0939/FUL |
| Delegation Briefing: | 08/08/2019 |
| Decision Type: | Permitted |
| Date: | 30/08/2019 |
| Location Address: | 19 Avondale Road Exeter Devon EX2 5HE |
| Proposal: | Single storey replacement extension. |
| Delegated Decision | |
| Application Number: | 19/1005/NMA |
| Delegation Briefing: | |
| Decision Type: | Permitted |
| Date: | 09/09/2019 |
| Location Address: | 28-36 Anthony Road Exeter Devon EX1 2ST |
| Proposal: | Amendment to approved render colours for 3 new dwellings (Non-material Minor Amendment to Planning Permission 18/0884/FUL granted on 11th September 2018). |
| Delegated Decision | |
| Application Number: | 19/1035/FUL |
| Delegation Briefing: | 08/08/2019 |
| Decision Type: | Permitted |
| Date: | 30/08/2019 |
| Location Address: | 69 Roseland Avenue Exeter Devon EX1 2TN |
| Proposal: | Proposed single storey rear extension and alterations to existing extension (revised design to 18/1767/FUL) |
| Delegated Decision | |
| Application Number: | 19/1104/PD |
| Delegation Briefing: | |
| Decision Type: | Prior Approval Not Required |
| Date: | 11/09/2019 |
| Location Address: | 24 Sweetbrier Lane Exeter Devon EX1 3AF |
| Proposal: | Single storey rear conservatory extension, extending a maximum 4 metres from the rear elevation, height to eaves 3 metres and maximum overall height 4 metres. |
| Delegated Decision | |
| Application Number: | 19/1204/NMA |
| Delegation Briefing: | |
| Decision Type: | Permitted |
| Date: | 12/09/2019 |
| Location Address: | 5 Third Avenue Heavitree Exeter Devon EX1 2PJ |
| Proposal: | Depth of extension reduced by 180mm. Roof design to rear of extension changed to flat roof increasing height by 285mm. New height does not exceed overall height of the original proposal. Style of rear proposed doors updated. |
| Newtown And St Leonards | |
| Delegated Decision | |
| Application Number: | 18/1500/FUL |
| Delegation Briefing: | 07/02/2019 |
| Decision Type: | Refuse Planning Permission |
| Date: | 29/08/2019 |
| Location Address: | Garages Opposite 38 Wellington Road Exeter Devon EX2 9DU |
| Proposal: | Demolition of garages and development of a part 2-storey, part single-storey, 4-bed dwelling house |

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| Delegated Decision | | | |
| Application Number: | 19/0974/FUL | Delegation Briefing: | 08/08/2019 |
| Decision Type: | Permitted | Date: | 30/08/2019 |
| Location Address: | 28 Jennifer Close Exeter Devon EX2 4RB | | |
| Proposal: | Single storey rear extension | | |
| Delegated Decision | | | |
| Application Number: | 19/1124/LED | Delegation Briefing: | |
| Decision Type: | Was lawful use | Date: | 03/09/2019 |
| Location Address: | 26 Iddesleigh Road Exeter Devon EX4 6LY | | |
| Proposal: | Use of property as house in multiple occupation for up to three people (certificate of lawfulness of existing use) | | |
| Delegated Decision | | | |
| Application Number: | 19/1187/TDC | Delegation Briefing: | |
| Decision Type: | Raise No Objection | Date: | 17/09/2019 |
| Location Address: | Land At West Exe Park Alphington | | |
| Proposal: | Approval of details for an employment unit (612 sqm of B2 and 622 sqm of B8) together with landscaping, internal access roads, parking, drainage detention basin and all other associated infrastructure | | |
| Pennsylvania | | | |
| Delegated Decision | | | |
| Application Number: | 19/0249/FUL | Delegation Briefing: | 28/03/2019 |
| Decision Type: | Permitted | Date: | 23/08/2019 |
| Location Address: | 1A Daleside Road Exeter Devon EX4 6EP | | |
| Proposal: | Demolition of existing Bungalow and re-build new dwelling and associated external works | | |
| Delegated Decision | | | |
| Application Number: | 19/0340/VOC | Delegation Briefing: | 09/05/2019 |
| Decision Type: | Permitted | Date: | 06/09/2019 |
| Location Address: | 1 Rosebarn Avenue Exeter Devon EX4 6DY | | |
| Proposal: | Variation of condition 2 in Application 17/0956/FUL: Changes of approved plans in accordance with revised drawings. | | |
| Delegated Decision | | | |
| Application Number: | 19/0409/FUL | Delegation Briefing: | 04/04/2019 |
| Decision Type: | Permitted | Date: | 05/09/2019 |
| Location Address: | 2 Beacon Avenue Exeter Devon EX4 7JD | | |
| Proposal: | Redevelopment to provide 6 apartments, communal gardens and parking facilities. Single storey porch extensions to existing dwellings and refuse storage areas. | | |

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|---------------------------|---|----------------------|------------|
| Delegated Decision | | | |
| Application Number: | 19/0602/FUL | Delegation Briefing: | 13/06/2019 |
| Decision Type: | Permitted | Date: | 28/08/2019 |
| Location Address: | 4 Tresillian Gardens Polsloe Exeter Devon EX4 7AJ | | |
| Proposal: | Side extension | | |
| Pinhoe | | | |
| Committee Decision | | | |
| Application Number: | 19/0433/FUL | Delegation Briefing: | 11/04/2019 |
| Decision Type: | Permitted | Date: | 03/09/2019 |
| Location Address: | 54 Main Road Exeter Devon EX4 9EY | | |
| Proposal: | Redevelopment of former Poltimore Arms site for ground floor commercial premises (A1 use) with 3 no. residential apartments on first floor over with onsite parking and amenity. | | |
| Delegated Decision | | | |
| Application Number: | 19/0455/FUL | Delegation Briefing: | 30/05/2019 |
| Decision Type: | Permitted | Date: | 27/08/2019 |
| Location Address: | Oxygen House Grenadier Road Exeter Devon EX1 3LH | | |
| Proposal: | Relocation of chiller from existing cycle store to rear of office building, including proposed dry store room, removal of shed and temporary storage structures to rear, and implementation of cycle store at front of west wing, Oxygen House. | | |
| Delegated Decision | | | |
| Application Number: | 19/0895/FUL | Delegation Briefing: | 25/07/2019 |
| Decision Type: | Permitted | Date: | 22/08/2019 |
| Location Address: | Springfield Church Hill Exeter Devon EX4 9ER | | |
| Proposal: | Construction of a two storey side extension | | |
| Delegated Decision | | | |
| Application Number: | 19/0955/FUL | Delegation Briefing: | 01/08/2019 |
| Decision Type: | Permitted | Date: | 05/09/2019 |
| Location Address: | 46 Main Road Exeter Devon EX4 8HS | | |
| Proposal: | Conservatory to front of property. | | |
| Delegated Decision | | | |
| Application Number: | 19/1150/SO | Delegation Briefing: | |
| Decision Type: | EIA Not Development | Date: | 22/08/2019 |
| Location Address: | Land At Hill Barton Exeter | | |
| Proposal: | Screening Opinion - potential application for up to 200 dwellings | | |

Priory

Delegated Decision

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|---------------------|---|----------------------|------------|
| Application Number: | 19/0864/NMA | Delegation Briefing: | |
| Decision Type: | Permitted | Date: | 13/09/2019 |
| Location Address: | Royal Devon And Exeter Hospital Barrack Road Exeter Devon | | |
| Proposal: | Incorporate external plant within building; reduce ground floor height and remove access ramp; increased overall height; removal of louvres; removal or relocation of windows/doors; glazed entrance lobby added and inclusion of advert within fabric of the building. | | |

Delegated Decision

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|---------------------|---|----------------------|------------|
| Application Number: | 19/0922/DIS | Delegation Briefing: | |
| Decision Type: | Condition(s) Fully Discharged | Date: | 13/09/2019 |
| Location Address: | Royal Devon And Exeter Hospital Barrack Road Exeter Devon | | |
| Proposal: | Discharge of Condition 5 (External Materials) and Condition 9 (Parking) of Planning Permission 17/1818/FUL. | | |

Delegated Decision

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|---------------------|--|----------------------|------------|
| Application Number: | 19/1000/FUL | Delegation Briefing: | 01/08/2019 |
| Decision Type: | Permitted | Date: | 29/08/2019 |
| Location Address: | 4 Lethbridge Road Exeter Devon EX2 5LE | | |
| Proposal: | Ground floor/two storey rear extension | | |

St Davids

Delegated Decision

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|---------------------|--|----------------------|------------|
| Application Number: | 19/0080/FUL | Delegation Briefing: | 11/07/2019 |
| Decision Type: | Permitted | Date: | 30/08/2019 |
| Location Address: | 18C North Street St Davids Exeter Devon EX4 3QS | | |
| Proposal: | Alterations to front elevation and parapet, 3no. new roof lights and various internal alterations. | | |

Delegated Decision

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|---------------------|--|----------------------|------------|
| Application Number: | 19/0081/LBC | Delegation Briefing: | 11/07/2019 |
| Decision Type: | Permitted | Date: | 30/08/2019 |
| Location Address: | 18C North Street St Davids Exeter Devon EX4 3QS | | |
| Proposal: | Alterations to front elevation and parapet, 3no. new roof lights and various internal alterations. | | |

Delegated Decision

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|---------------------|---|----------------------|------------|
| Application Number: | 19/0183/FUL | Delegation Briefing: | 04/07/2019 |
| Decision Type: | Permitted | Date: | 05/09/2019 |
| Location Address: | 25 South Street Exeter Devon EX1 1EB | | |
| Proposal: | Replacement link extension, and railings on front boundary. | | |

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| Delegated Decision | |
| Application Number: | 19/0184/LBC |
| Delegation Briefing: | 04/07/2019 |
| Decision Type: | Permitted |
| Date: | 05/09/2019 |
| Location Address: | 25 South Street Exeter Devon EX1 1EB |
| Proposal: | Replacement link extension, and railings on front boundary. Internal alterations on all floors including replacement staircase at ground floor. |
| Committee Decision | |
| Application Number: | 19/0560/FUL |
| Delegation Briefing: | 16/05/2019 |
| Decision Type: | Refuse Planning Permission |
| Date: | 10/09/2019 |
| Location Address: | Beech Hill House Walnut Gardens Exeter Devon EX4 4DH |
| Proposal: | Development to build residential accommodation for students (166 bedspaces) with associated accommodation, infrastructure works and landscaping following demolition of existing buildings (Revised scheme). |
| Delegated Decision | |
| Application Number: | 19/0771/FUL |
| Delegation Briefing: | 27/06/2019 |
| Decision Type: | Permitted |
| Date: | 22/08/2019 |
| Location Address: | The Terrace, Unit 19 Higher Market Guildhall Shopping And Dining Queen Street Exeter Devon EX4 3FB |
| Proposal: | Installation of awning to restaurant frontage. |
| Delegated Decision | |
| Application Number: | 19/0803/FUL |
| Delegation Briefing: | 04/07/2019 |
| Decision Type: | Permitted |
| Date: | 29/08/2019 |
| Location Address: | Turks Head 202 High Street Exeter Devon EX4 3EB |
| Proposal: | Change of use from restaurant (A3 Use) to public house (A4 Use); formation of guest bedrooms at upper levels, and microbrewery at ground floor level; external alterations at first floor level to form new roof terrace. |
| Delegated Decision | |
| Application Number: | 19/0804/LBC |
| Delegation Briefing: | 04/07/2019 |
| Decision Type: | Permitted |
| Date: | 29/08/2019 |
| Location Address: | Turks Head 202 High Street Exeter Devon EX4 3EB |
| Proposal: | Change of use from restaurant (A3 Use) to public house (A4 Use); formation of guest bedrooms at upper levels, and microbrewery at ground floor level; internal alterations at all levels in association with the change of use and refurbishment; external alterations at first floor level to form new roof terrace. |

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| Delegated Decision | |
| Application Number: 19/0879/LBC | Delegation Briefing: 01/08/2019 |
| Decision Type: Permitted | Date: 13/09/2019 |
| Location Address: The Coach House 26 Palace Gate Exeter Devon EX1 1JA | |
| Proposal: Five replacement windows, two replacement casements and reglazing of two windows. | |
| Delegated Decision | |
| Application Number: 19/0937/FUL | Delegation Briefing: 25/07/2019 |
| Decision Type: Permitted | Date: 29/08/2019 |
| Location Address: 234 High Street Exeter Devon EX4 3NL | |
| Proposal: Removal of one external ATM. | |
| Delegated Decision | |
| Application Number: 19/0993/DIS | Delegation Briefing: |
| Decision Type: Permitted | Date: 30/08/2019 |
| Location Address: Renslade House Bonhay Road Exeter Devon EX4 3AY | |
| Proposal: Discharge of conditions 4 (sound insulation) and 7 (access and paths) of prior approval 16/0474/40 granted 17 June 2016. | |
| Delegated Decision | |
| Application Number: 19/0994/DIS | Delegation Briefing: |
| Decision Type: Permitted | Date: 30/08/2019 |
| Location Address: Renslade House Bonhay Road Exeter Devon EX4 3AY | |
| Proposal: Discharge of conditions 6 (archaeology), 9 (access and paths) and 14 (sound insulation) of planning application 16/0481/03 granted 14 February 2017. | |
| Delegated Decision | |
| Application Number: 19/0995/DIS | Delegation Briefing: |
| Decision Type: Permitted | Date: 30/08/2019 |
| Location Address: Renslade House Bonhay Road Exeter Devon EX4 3AY | |
| Proposal: Discharge of condition 8 (accesss and paths) of planning application 17/0001/03 granted 7 April 2017 | |
| Delegated Decision | |
| Application Number: 19/1004/PDC | Delegation Briefing: |
| Decision Type: Prior Approval Required and Granted | Date: 02/09/2019 |
| Location Address: 4 Central Station Buildings Queen Street Exeter Devon EX4 3SB | |
| Proposal: Change of use from retail (Class A1) to restaurant (Class A3). | |

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| Delegated Decision | |
| Application Number: 19/1142/ADV | Delegation Briefing: |
| Decision Type: Permitted | Date: 23/08/2019 |
| Location Address: Zinc Mary Arches Street Exeter Devon EX4 3AZ | |
| Proposal: Two sets of halo illuminated fascia text and one internally illuminated projection sign | |

St Loyes

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| Delegated Decision | |
| Application Number: 19/0997/FUL | Delegation Briefing: 15/08/2019 |
| Decision Type: Permitted | Date: 13/09/2019 |
| Location Address: 45 Wilton Way Exeter Devon EX1 3UH | |
| Proposal: Single storey rear extension. | |

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| Delegated Decision | |
| Application Number: 19/1153/ADV | Delegation Briefing: |
| Decision Type: Permitted | Date: 13/09/2019 |
| Location Address: Bishops Court Industrial Estate Sidmouth Road St Loyes Exeter Devon | |
| Proposal: Construction of 2 new single sided tenant totem signs | |

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| Delegated Decision | |
| Application Number: 19/1173/LPD | Delegation Briefing: |
| Decision Type: Was lawful use | Date: 18/09/2019 |
| Location Address: 6 Farm Close Exeter Devon EX2 5PJ | |
| Proposal: Loft conversion with dormer. | |

St Thomas

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| Delegated Decision | |
| Application Number: 19/0530/FUL | Delegation Briefing: 18/07/2019 |
| Decision Type: Permitted | Date: 22/08/2019 |
| Location Address: 16 Croft Chase Exeter Devon EX4 1TB | |
| Proposal: Construction of two storey side extension, single storey rear extension and provision of access for new detached garage. | |

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| Delegated Decision | |
| Application Number: 19/0987/FUL | Delegation Briefing: 15/08/2019 |
| Decision Type: Permitted | Date: 06/09/2019 |
| Location Address: 39 Queens Road Exeter Devon EX2 9EP | |
| Proposal: Replacement ground floor rear extension. | |

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| Delegated Decision | |
| Application Number: 19/1197/DIS | Delegation Briefing: |
| Decision Type: Condition(s) Fully Discharged | Date: 18/09/2019 |
| Location Address: LAND ADJ - Annexe Pocombe Grange House Pocombe Bridge Road From Grange House To Exonbury House Exeter Devon EX2 9SX | |
| Proposal: Discharge of conditions 5 (Contamination), 8 (Sustainable Urban Drainage), 11 (Nesting Swifts and Bats), 12 & 13 (Assessment for Sustainable Homes) and 15 (Cycle Parking) in relation to planning application 17/1216/OUT and discharge of conditions 3 (Materials) and 4 (Access and Egress) in relation to planning application 18/1173/RES | |
| Topsham | |
| Delegated Decision | |
| Application Number: 19/0652/FUL | Delegation Briefing: 25/07/2019 |
| Decision Type: Refuse Planning Permission | Date: 28/08/2019 |
| Location Address: 27 Monmouth Avenue Topsham Exeter Devon EX3 0AF | |
| Proposal: Vehicle and pedestrian access from Holman Way to 27 Monmouth Avenue. Alterations include landscaping and a new driveway | |
| Delegated Decision | |
| Application Number: 19/0786/FUL | Delegation Briefing: 04/07/2019 |
| Decision Type: Permitted | Date: 23/08/2019 |
| Location Address: Exeter Golf And Country Club Ltd Topsham Road Exeter Devon EX2 7AE | |
| Proposal: Renovation and replacement of machinery stores in the Greenkeepers' Compound. | |
| Delegated Decision | |
| Application Number: 19/0787/LBC | Delegation Briefing: 04/07/2019 |
| Decision Type: Permitted | Date: 23/08/2019 |
| Location Address: Exeter Golf And Country Club Ltd Topsham Road Exeter Devon EX2 7AE | |
| Proposal: Renovation and replacement of machinery stores in the Greenkeepers' Compound | |
| Delegated Decision | |
| Application Number: 19/0902/FUL | Delegation Briefing: 08/08/2019 |
| Decision Type: Permitted | Date: 30/08/2019 |
| Location Address: 26 Greatwood Terrace Topsham Exeter Devon EX3 0EB | |
| Proposal: Removal of existing summerhouse and replace with new garden study and utility room. | |

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| Delegated Decision | |
| Application Number: 19/1011/LBC | Delegation Briefing: 08/08/2019 |
| Decision Type: Permitted | Date: 18/09/2019 |
| Location Address: 32 Elm Grove Road Topsham Exeter Devon EX3 0EQ | |
| Proposal: Removal of internal wall and installation of stud wall within basement area | |
| Delegated Decision | |
| Application Number: 19/1037/FUL | Delegation Briefing: 15/08/2019 |
| Decision Type: Refuse Planning Permission | Date: 13/09/2019 |
| Location Address: 85 Newcourt Road Topsham Exeter Devon EX3 0BU | |
| Proposal: Ground and roof extensions to an existing bungalow | |
| Delegated Decision | |
| Application Number: 19/1064/FUL | Delegation Briefing: 15/08/2019 |
| Decision Type: Permitted | Date: 16/09/2019 |
| Location Address: 10 Rydon Lane Exeter Devon EX2 7AW | |
| Proposal: Demolition of existing single front Garage and provision of front extension to accommodate a bedroom and living space. | |
| Delegated Decision | |
| Application Number: 19/1128/DIS | Delegation Briefing: |
| Decision Type: Condition(s) Fully Discharged | Date: 13/09/2019 |
| Location Address: 5 Underhill Terrace Topsham Exeter Devon EX3 0HG | |
| Proposal: Discharge of conditions 3 (Submission of material samples), 4 (Conservation roof lights) and 5 (New timber windows) pertaining to planning approval ref. 19/0289/FUL granted 21 June 2019. | |
| Delegated Decision | |
| Application Number: 19/1192/DIS | Delegation Briefing: |
| Decision Type: Condition(s) Partially Approved | Date: 03/09/2019 |
| Location Address: Riversmeet House Bowling Green Road Riversmeet Topsham Exeter Devon EX3 0BE | |
| Proposal: Revised Scheme for new dwelling (Subsequent to 14/1725/FUL and 14/1726/FUL) Consent no's 18/1178/FUL and 18/1179/LBC. | |
| Total Applications: 68 | |

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 30 September 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. Appeal Decisions Received

- 3.1 **19/0420/FUL - Plot 1, 10 Honey Lane** – The application was for minor alterations to existing fenestration, removal of 2 rooflights and installation of 8 rooflights.
- 3.2 **19/0419/FUL - Plot 2, 10 Honey Lane** - The application was for minor Alterations to existing fenestration and installation of 8 rooflights.
- 3.3 **19/0418/FUL - Plot 3, 10 Honey Lane** - The application was for installation of 5 rooflights and amendments to window fenestration.

The Planning Inspectorate dismissed the above 3 appeals on the same site. Each application was for the installation, in part retrospective, of roof lights in effort to make a first floor room habitable by building regulation standards.

The original application for the site (11/0225/FUL & 13/0234/NMA) gained approval for 3 bungalows. Although contrary to the approved drawings, a first floor was installed internally and an upstairs 'room' was created and accessed by a set of stairs. Through the original Decision Notice, permitted development rights were removed for the bungalows and we received notification from a neighbour that roof lights were being installed without consent. In the resulting applications, the lower level roof lights were proposed to be obscured glaze and fixed shut to address privacy concerns with the only openable windows being above head height (approx. 1.8m from floor level). Each application was subsequently refused on (i) the living conditions of future occupants, (ii) the privacy of neighbouring properties and (iii) the character and appearance of the dwellings.

The inspector agreed absolutely that, as a result of only the high level roof lights being openable and clear glazed, that the outlook of occupants would be unacceptable and result in an 'oppressive and unwelcoming space'.

In terms of privacy, the inspector took the view that by fixing shut and obscuring the windows that there would be no impact to privacy. The inspector disagreed with officer view that by installing 6-8 roof lights on the properties that it would negatively affect their appearance and detract from the quality of the permitted building.

In summary, whilst the development was deemed acceptable in terms of its effect on the character and appearance of the area and to the levels of privacy afforded to the occupiers of the neighbouring dwellings, the occupiers of the appeal dwelling were considered not be afforded an acceptable level of outlook which was of overriding concern and resulted in the appeal being dismissed overall.

4. New Appeals

4.1 18/1643/FUL – Land to the Rear of 327 Topsham Road, Exeter, EX2 6EY

Construction of two storey dwelling, garage and associated external works.

4.2 19/0689/FUL - 21 Riverside Road, Topsham, Exeter, EX3 0LR

Proposed new garage and conversion of existing garage into living accommodation.

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