

PLANNING

Date: Wednesday 8 February 2023
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 rear entrance, located at the back of the Customer Service Centre, Paris Street.

The meeting will be live streamed on YouTube.

[Democratic Meetings - YouTube](#)

Membership -

Councillors Morse (Chair), Sutton (Deputy Chair), Asvachin, Bennett, Bialyk, Branston, Foale, Hannaford, Jobson, Lights, Mitchell, M, Moore, D, Newby and Snow

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 10 October 2022.

(Pages 5 -
24)

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 Monday 6 February 2023 (full details available on request from the Democratic Services Officer).

5 **Planning Application No. 22/0537/OUT - Land at St. Bridget Nursery, Exeter**

To consider the report of the Director City Development. (Pages 25 - 72)

6 **Planning Application No. 21/1014/FUL - 68-72 Howell Road, Exeter**

To consider the report of the Director City Development. (Pages 73 - 98)

7 **Planning Application No. 22/0770/FUL - Buckerell Lodge Hotel, Topsham, Exeter**

To consider the report of the Director City Development. (Pages 99 - 120)

8 **List of Decisions Made and Withdrawn Applications**

To consider the report of the Director City Development. (Pages 121 - 196)

9 **Appeals Report**

To consider the report of the Director City Development. (Pages 197 - 200)

10 SITE INSPECTION PARTY

To advise that the next Site Inspection Party will be held on Tuesday 14 March 2023 at 9.30 a.m. The Councillors attending will be Councillors Branston, Lights and D. Moore.

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 20 February 2023** at 5.30 pm in the Civic Centre.

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

Follow us:

[Twitter](#)

[Facebook](#)

Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265107.

This page is intentionally left blank

PLANNING COMMITTEE

Monday 10 October 2022

Present:-

Councillor Morse (Chair)

Councillors Sutton, Asvachin, Bennett, Bialyk, Hannaford, Jobson, Lights, Mitchell, M, Moore, D, Newby and Snow

Apologies

Councillor Branston

Also Present

Director of City Development, Principal Project Manager (Development) (MD), Planning Solicitor and Democratic Services Officer (HB)

37

MINUTES

The minutes of the meeting held on 5 September 2022 were taken as read, approved and signed by the Chair as correct.

38

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

39

PLANNING APPLICATION NO. 21/1564/OUT - FORMER POLICE STATION AND MAGISTRATES COURT, HEAVITREE ROAD, EXETER

The Director of City Development reported that on 5 September 2022 Members resolved that the above application be deferred and that he had been asked to report back to this Planning Committee with full technical reasons for refusal for the areas set out below:

- height, massing, design, siting and landscaping of the development having an adverse impact on the surrounding buildings and the street scene of the Heavitree Road approach into the City Centre;
- insufficient usable external amenity space for both the Co-living and Purpose Built Student Accommodation (PBSA) accommodation blocks, allied to a failure to adequately acknowledge the wider impact on amenity space in the surrounding residential areas and also the substandard quality and amenity space offered as part of the living accommodation within the Co-Living block itself; and
- loss of trees and biodiversity.

Accordingly, the following technical reasons for refusal were recommended:-

1. The proposed development would harm the character of the area, including the streetscenes along Heavitree Road and Gladstone Road, and the setting of the locally listed St Luke's College buildings, by virtue of the height and massing of the two buildings, which would be of a far greater scale than the majority of

buildings in the area, and their siting in close proximity to the pavement and not in keeping with the sub-urban street scene. The proposed development is therefore contrary to Policy CP17 of the Core Strategy, which requires all proposals for development to complement or enhance Exeter's character and local identity, saved Policies H5 and DG1 of the Exeter Local Plan First Review 1995-2011, and paragraphs 130 and 197c) of the NPPF (2021).

2. The proposed development would harm the amenity, privacy and outlook of the adjacent residential properties, particularly in Higher Summerlands, due to the height, scale and massing of the proposed buildings and their siting in close proximity to the properties taking into account their designs. The proposed development is therefore contrary to saved Policies H5(a) and DG4(b) of the Exeter Local Plan First Review 1995-2011, and paragraph 130f) of the NPPF (2021).
3. The proposed development would have a limited amount of external amenity space for use by the high number of residents of the two buildings and the external amenity space proposed in the form of the internal courtyards would be poor quality due to the overbearing design of the proposed buildings. In addition, the small size of the studios within the Co-Living block combined with the amount of internal, shared communal space within the building would provide a poor living environment for residents that would have a negative impact on their health and well-being. The proposed development is therefore contrary to saved Policy DG4(b) of the Exeter Local Plan First Review 1995-2011 and paragraph 130e) and f) of the NPPF (2021).
4. Notwithstanding the applicant's agreement to pay £472,995 for the maintenance and upgrade of off-site public open spaces serving the development (to be spent on upgrades to Exeter City Council parks) and £121,095 for the maintenance and upgrade of off-site play areas serving the development (to be spent on the installation of outdoor adult fitness equipment) in accordance with the consultation response from the Public and Green Spaces team of Exeter City Council to mitigate the impact of additional demand on off-site Exeter City Council public spaces, the proposed development would have a negative impact on public spaces in the locality of the site, in particular Belmont Park approximately 400 metres north of the site, due to the additional use and demand of these spaces by residents of the proposed development and limited amount of on-site external amenity space provision. The proposed development is therefore contrary to Policy CP10 of the Core Strategy, which protects facilities that meet Exeter's community, social, health, leisure and recreational needs, and saved Policy DG4(a) of the Exeter Local Plan First Review 1995-2011 stating that residential development should be at the maximum feasible density taking into account site constraints and impact on the local area.
5. The proposed development would result in the loss of all trees on the site including several category A and B trees which contribute to the amenity of the locality and biodiversity of the site. Without a detailed landscaping scheme as part of the application, there is a lack of certainty that the loss of these trees will be adequately and appropriately compensated for to maintain or enhance the amenity and biodiversity value of the site. The indicative information submitted

with the application in this regard does not demonstrate that this can be satisfactorily achieved. Therefore the proposed development is contrary to Policy CP17 of the Core Strategy, saved Policies H5(a), LS4 and DG1(c)(h) of the Exeter Local Plan First Review 1995-2011, and paragraphs 130 and 131 of the NPPF (2021).

The Director City Development advised that the following reason for refusal should be added:

6. In the absence of a Section 106 legal agreement to secure the following:

- 20% of the Co-Living units (i.e. 72) will be affordable private rented (5% of which will be wheelchair accessible) and priority will be given to essential local workers.
- Habitats Mitigation = £370,612.34 (in relation to the co-living development only)
- NHS Devon ICB contribution = £264,960.00 (£173,312 for PBSA and £91,648 for co-living)
- Public open space contribution = £472,995.00 (£309,389 for PBSA and £163,606 for co-living)
- Play (outdoor adult fitness equipment) contribution = £121,095.00 (£79,209 for PBSA and £41,886 for co-living)
- Student Management Plan for PBSA block
- Co-living Management Plan/Monitoring for Co-living block

the proposal is contrary to Exeter Local Development Framework Core Strategy 2012 Objectives 1, 3, 5, 6, 8 and 10, and policies CP7, CP10, CP16 and CP18, Exeter Local Plan First Review 1995-2011 saved policies L4, LS2, LS3 and DG4, Exeter City Council Affordable Housing Supplementary Planning Document 2014 and Exeter City Council Public Open Space Supplementary Planning Document 2005.

The Director City Development also reported that the applicants had contacted officers requesting a further deferral of the application in order to revise the proposals accounting for the issues raised by this Committee on 5 September 2022. Subject to an appropriate extension of time being agreed, the Director of City Development recommended that this time be granted so that Members could consider a revised set of proposals that better reflect Members' aspirations for the site and to ensure that any proposals considered at any appeal are the most appropriate for the area.

The Director City Development stated that the consideration of revised proposals would not preclude the above reasons for refusal. The proposed revisions would be put to a Design Review Panel. He advised that it was considered that changes could be made that would address the matters of concern raised at the 5 September 2002 meeting including those of scale, massing, design and setting.

Responding to Members' queries regarding the opportunity to either refuse or defer, the Director City Development advised that the recommendation to defer was predicated on providing the applicant a suitable time period to consider the reasons for refusal, the applicant having already provided an undertaking to agree an extension of time and not seek a non-determination decision. He also advised that like earlier iterations of a scheme for this site, further revised plans would be subject to public consultation. A decision to defer did not preclude the Committee from subsequently refusing the application for the detailed reasons set out in the

report.

A copy of the original 5 September Planning Committee report was attached to the report.

Councillor Vizard, having given notice under Standing Order No. 44, spoke on the item. He was concerned that the decision reached at the previous meeting and any subsequent decision to now defer may result in public confusion. He stated that any revised application would need to fully address all the suggested technical reasons for refusal set out in the report and if this could not be achieved there may be a fundamental reason why these could not be fully addressed. There was also a need to balance the final outcome of the application if Members remained minded to refuse in relation to any considerations at appeal. A proper further public consultation should also be carried out.

Mr Howells, speaking in support of the application, raised the following points:-

- My name is Neil Howells, Head of Development at Student Roost, the joint applicants with Devon and Cornwall Police and Nixon Property on this application;
- Student Roost, is an international operator of PBSA, providing a premium offer to key university towns and cities across the UK. The company is not yet represented in Exeter and is keen to invest the £90 million in developing this site to create one of the highest quality residential schemes in the city. The proposals will meet an identified need for key worker accommodation, graduates as well as students. The proposals are also consistent with the emerging Exeter Local Plan, which seeks to build 12,000 new homes on brownfield sites in the city over the next 20 years;
- the principle of development was not questioned on 5 September, it was the details associated with the proposals which raised concerns. Height, massing, design, siting, landscaping, amenity impacts on surrounding properties, internal and external amenity concerns for future users, and tree loss, were all cited;
- these are all matters which can be addressed and the company is committed to making significant changes to the proposals;
- because of time constraints it is imperative that these changes are made to the current application not through a new submission;
- the company is committed to taking the proposals to a Design Review Panel later this month and to engage with the Council to make amendments;
- the company was confident that, in consultation with officers, amendments could be made to develop a scheme which meets the identified needs in a form which addresses the concerns raised by Members to redevelop this key gateway site.

He responded as follows to Members' queries:-

- it was anticipated that the revisions to the application would be put to a Design Review panel by the end of October for the revisions to be completed within two months and for a report to the December meeting of this Committee; and
- in the event of a refusal of the revisions to the application the applicant would consider their position

Members expressed the following views:-

- there had been a number of occasions when the Committee had deferred applications for revisions to be made to planning applications;

- because of the complexity of planning law, it was understandable that there had been public confusion over the decision to defer at the 5 September 2022 meeting. The reasons for refusal given at the time had been made without the knowledge that the applicant would be asking for a deferral;
- it was a brown field site, close to the city centre and it was inevitable that it would eventually be developed. It was preferable to build on a brown field site rather than on green fields;
- there is a desire to consider the best possible alternative and the undertaking to go back to the Design Review Panel is welcome;
- the application will provide sustainable homes and offer an acceptable housing opportunity for those unable to afford alternative, more costly homes enabling them to get on to the housing ladder and also avoid commuting into the city for work;
- welcome the intention for a full community consultation and it is hoped that the concerns will be properly addressed, including the need for sufficient amenity space;
- the earlier application was unsuitable but it is correct to defer and for the public to have their say in the revisions to be brought forward;
- it is a balanced decision but it is difficult to see how necessary improvements can be provided on a limited space without a significant reduction in the number of units and a substantially different design; and
- it is hoped that the applicant will now have taken on Members' concerns. If the changes are not acceptable the application can still be refused.

The recommendation to **DEFER** the outline planning application with all matters considered in detail except landscaping, for the demolition of the existing buildings and construction of mixed-use development comprising Purpose-Built Student Accommodation (Sui Generis) and Co-Living (Sui Generis) with associated infrastructure. (Revised plans were received) was moved and seconded, voted upon and carried.

40

PLANNING APPLICATION NO. 22/0236/FUL AND 22/0237/LBC - THE ROYAL CLARENCE HOTEL, CATHEDRAL YARD, EXETER

The Assistant Service Lead Development Management (Major Projects), presented the planning application and listed building consent for the reconstruction and extension of building (including partial demolition and repair of remaining building fabric) following extensive fire damage to create commercial food and beverage units at ground floor and residential units from first to fifth floor.

The Assistant Service Lead Development Management (Major Projects), described the location of the site through photos of the site showing the proposed new development and perspective views from the surroundings including other parts of Cathedral Yard. He set out the timeline since the fire and explained the relationship of the site to its immediate neighbouring properties and to their listed designation, and also to the wider area being located within Central Conservation Area and the Area of Archaeological Importance. In regard to the listed buildings, he explained through photos of the fire damage that the works proposed were justified as having special regard to the desirability of preserving remaining building fabric on the site including that of Martin's Lane and the substantial public benefits of the proposed development.

The report also setting out the following key elements:-

- the principle of development;
- design and density;

- impact on heritage assets;
- access and parking;
- residential amenity of proposed apartments and impact on amenity of surroundings;
- affordable housing/viability;
- planning technical issues; and
- development plan, material considerations and presumption in favour of sustainable development.

The Assistant Service Lead Development Management (Major Projects), explained that the site comprised Cathedral Yard (formerly The Well House Tavern) to the north of Cathedral Green. The complex of buildings that formed the hotel and adjoining public house had suffered a significant fire in 2016 resulting in the loss of the majority of the building fabric on site. The remaining building structures on site had been made safe and salvage/recording operations associated with the necessary partial demolition of unsafe remains carried out under listed building consent. His report set out the planning history following the fire and the various planning applications received to date.

The Assistant Service Lead Development Management (Major Projects), advised that the proposal was to reconstruct and extend the building, including the partial demolition and repair of the remaining building fabric, to provide commercial food and beverage units (Class E(b)) on the ground floor/basement level and residential units (Class C3) on the floors above. 23 apartments (including 3 duplex apartments) will be provided in total, comprising: 15 no. 2-beds and 8 no. 3-beds. The residential units were proposed as 100% market housing. The residential units would be provided over five floors, three of which plus a first floor mezzanine would sit behind the reconstructed Cathedral Yard and Martin's Lane elevations of the former building, and with a modern, aluminium-clad mansard above, which would be setback from the front elevation. The mansard would contain the fourth and fifth floors, the fifth being much smaller, only containing the living accommodation of a duplex apartment and setback into the northwest corner of the site. In addition, a shared roof terrace would be provided in the northeast corner overlooking Martin's Lane. The majority of the apartments would not have private, external amenity space, except for the three apartments on the fourth floor at the front of the building, which would have private terraces overlooking Cathedral Green, and the duplex apartment on the fourth/fifth floor, which would also have a private terrace at fifth floor level, albeit significantly setback from the front elevation.

The Assistant Service Lead Development Management (Major Projects), provided the following concluding points in support of the recommendation which was for approval, subject to a Section 106 Agreement and the conditions as set out in the report.

- the proposal was considered to be a sustainable development when balancing the development plan policies, National Planning Policy Framework 2021 (NPPF) policies, including the presumption in favour of sustainable development in paragraph 11, National Planning Practice Guidance (NPPG), and the constraints and opportunities of the site;
- a Section 106 legal agreement and conditions were necessary to secure affordable housing, infrastructure contributions and other aspects of the development to make it acceptable in planning terms;
- the presumption in Favour of Sustainable Development applies;
- the uses are acceptable and would enhance the vitality of the City Centre and the Cathedral Precinct; and

- substantial public benefits outweigh the harm of the partial demolition works and 5th floor roof extension on the historic setting.

The following responses were given to Members' queries:-

- both Historic England and the Society for the Protection of Ancient Buildings had been consulted and were supportive of the proposal and supported the submission of pre-commencement details. As such, condition 4 required that no work would take place until full details of the structural work had been submitted; and
- waste removal would be covered by the waste audit condition to Devon County Council standard covering both the construction and operational phases.

Mr Gigg speaking against the application, raised the following points:-

- am representing the owner of 18 Cathedral Yard and am not objecting to the principle of the development of this site but to three specific elements of the design that have an impact on the adjacent property that has been rebuilt following the Royal Clarence fire;
- issue of overlooking and leap of flame between the two properties is of concern to the owners who have rebuilt their building;
- of the three proposed windows, two were adjacent to an existing window in 18 Cathedral Yard creating overlooking and one in close proximity. The proposed drawings indicate the windows to be within 2 metres of the existing window and, in one location, within 300mm (this being a concern for leap of flame). The greatest concern is the loss of privacy from the existing bedroom to that of the proposed apartments;
- the drawings appear to allow access on to Lamb Alley that divides the two properties at ground level though, as this alley is in the ownership of 18 Cathedral Yard, no right of way exists on to this alley, and therefore this would not be able to be implemented for the operation of the building;
- the top floor proposed balcony has no privacy screen provided to the side elevation and will be elevated creating overlooking. A simple fixed screen at 1.8m height for the length of the balcony side would be sufficient to overcome this issue; and
- the proposals as designed will negatively impact the amenity of the existing apartments, and due to the proximity of one of the bedroom windows create an unacceptable fire risk. The bedroom window proposed under building regulations will need to be fixed shut with fire retardant glass making this window impossible to open, and the room reliant on mechanical ventilation only. Access to Lamb Alley is not permitted and therefore this would need to be taken in to account in the design for escape from the proposed building. The top floor balcony needs a simple privacy screen to remove overlooking.

The following responses were given to the issues raised:-

- a condition would be included to ensure that the two windows referred to were obscure glazed;
- a condition would require a privacy screen on the terrace of the 5th floor;
- fire legislation requirements were determined at building regulation stage; and
- Lamb Alley was not in the red line of the planning application, indicating that it would not be used for access purposes or for fire egress.

Mr Brent, speaking in support of the application made the following points:-

- it is an important scheme for the city as The Royal Clarence building has an emotional resonance with residents and visitors alike;
- on the purchase of the site, viability tests were run on the consented hotel scheme approved in 2017 which proved that the scheme was completely unviable, which was prior to the effects of Covid and the new Indigo 5* Hotel;
- a host of other options were considered with different uses, scale and composition, with the balance of scale and retention of historic fabric being critical considerations. The mix proposed brings the ground floor back into commercial use and provides much-needed housing in the city centre following other residential developments in Cathedral Yard, building on the Council's strategy of increasing city centre living;
- the Royal Clarence is a very challenging building to regenerate. The fire damaged much of the fabric and structure and, having been exposed to the elements for several years prior to purchase, the building has suffered further irreparable decay, meaning that certain areas cannot feasibly be retained;
- the scheme is respectful of the building's setting and it remains subservient to the Cathedral and surrounding listed buildings, whilst also being commercially deliverable;
- there has been close work with Historic England and Exeter City Council to optimise the scheme;
- the proposed restaurant and bar units on the ground floor will allow public access to a much-loved asset and showcase previously unseen historic fabric, whilst the homes above will increase the vibrancy of the city centre;
- the scheme will regenerate a key city centre site and will revamp the Cathedral Yard setting; and
- the neighbours raising objections are the same folk from whose building the fire that devastated Cathedral Yard originated.

He responded as follows to Members' queries:-

- the fire exit shown on the drawings was via 43 and 44 High Street; and
- it was the intention to progress the scheme as quickly as possible. Detailed design work would take approximately four months and then a viability assessment undertaken following which contracts would be let. The total time anticipated was 70 months.

The Director City Development provided the following concluding points:-

- the principle of a mixed use development was supported to provide much need housing and an active use providing vitality to the city centre after a long period when the site had been derelict following the fire;
- the impact on an important heritage asset was a key consideration but the structure was now dangerous and unstable with a very damaged group of historical listed buildings being an eyesore in a beautiful part of the city;
- there was professional consensus that substantial harm had been caused to the buildings and, whilst the loss of historical features was regrettable, the need to demolish buildings, including 6 Martins Lane, outweighed the loss of the historical features; and
- the design was largely sympathetic to the surrounding area and would give an iconic building a new lease of life.

Responding to a Member's query, the proposal for a deferred contribution mechanism was included as construction costs and property values could not be calculated with regard to current market conditions and, as they were likely to

increase over time, the precise figures would be assessed closer to the completion stage. The Council would receive up to the total contribution in the report or potentially none depending on the reappraisal of the viability when the scheme is being constructed.

Members expressed the following views:-

- welcome the significant affordable housing contribution for other areas of the city as the development would not be providing Purpose Build Student Accommodation or Co-Living units;
- restaurant provision at ground floor level will provide a very attractive façade and the view entering Cathedral Yard from South Street will be improved;
- it is unfortunate that the site could not be restored to its original use as an hotel, given that the Royal Clarence had been one of the oldest hotels in the UK and has been missed by many as an iconic building in the city centre;
- the regeneration of an area which is currently a blot on the landscape is to be welcomed and will provide additional residential accommodation for the centre, complementing existing residential apartments in Cathedral Yard. The properties will be luxury, high end apartments and will retain their value;
- the 4th and 5th floor levels and mansard apartments will sit well within the differing heights in Cathedral Yard. The overall appearance was therefore comparable to the view of the differing heights of the Princesshay development;
- in respect of a petition suggesting a heritage centre, the Devon and Exeter Institute at 7 Cathedral Yard already provides this function;
- welcome the affordable housing element and the applicant having taken on board earlier comments of Members and hope that the development can be brought forward quickly; and
- the proposal has been long awaited following the fire six years ago almost to the day.

The recommendation was for approval of both the full and Listed Building applications, subject to a Section 106 Legal Agreement and the conditions as set out in the report.

The recommendation was moved and seconded and carried unanimously.

RESOLVED that, subject to a Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) to secure the following:-

Subject to a Deferred Contributions Mechanism:

- £85,152 towards new secondary school provision at South West Exeter;
- £13,425 towards patient space at local GP surgeries;
- £22,661 to provide additional healthcare services at Royal Devon University Healthcare NHS Foundation Trust; and
- £2,173,238.07 affordable housing financial contribution.

All Section 106 contributions to be index-linked from the date of resolution

the Director City Development be authorised to **GRANT** planning permission for the reconstruction and extension of building (including partial demolition and repair of remaining building fabric) following extensive fire damage to create commercial food and beverage units at ground floor and residential units from first to fifth floor,

subject also to the other conditions:-.

1. Standard Time Limit – Full Planning Permission

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 comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

2. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this permission:

Received 16.02.2022

- Location Plan (RC-KT-XX-XX-DR-A-2063-L01.01-P3)
- Proposed Site Plan (RC-KT-XX-XX-DR-A-2063-L01.03-P4)
- Proposed First Floor Mezzanine Plan (RC-KT-XX-01-DR-A-2063-L02.40-P10)
- Proposed Front Elevation (Cathedral Green) (RC-KT-XX-ZZ-DR-A-2063-L04.01-P6)
- Proposed Side Elevation (Lamb Alley) (RC-KT-XX-ZZ-DR-A-2063-L04.02-P4)
- Proposed Rear Elevation (High Street) (RC-KT-XX-ZZ-DR-A-2063-L04.03-P4)
- Section, Elevation, Plan-Details 2 (RC-KT-XX-XX-DR-A-2063-L04.101-P3)
- Section, Elevation, Plan-Details 3 (RC-KT-XX-XX-DR-A-2063-L04.102-P3)
- Section, Elevation, Plan-Details 4 (RC-KT-XX-XX-DR-A-2063-L04.103-P3)
- Section, Elevation, Plan-Details 5 (RC-KT-XX-XX-DR-A-2063-L04.104-P3)
- Demolition Basement Plan (RC-KT-XX-B1-DR-A-2063-L06.10-P6)
- Demolition Ground Floor Plan (RC-KT-XX-GF-DR-A-2063-L06.20-P6)
- Demolition First Floor Mezzanine Plan (RC-KT-XX-01-DR-A-2063-L06.40-P6)
- Demolition Third Floor Plan (RC-KT-XX-03-DR-A-2063-L06.60-P6)
- Demolition Roof Plan (RC-KT-XX-R-DR-A-2063-L06.70-P4)
- Demolition Sections 2 of 4 (RC-KT-XX-ZZ-DR-A-2063-L06.81-P5)
- Demolition Sections 4 of 4 (RC-KT-XX-ZZ-DR-A-2063-L06.83-P3)
- Demo Front Elevation (Cathedral Green) (RC-KT-XX-ZZ-DR-A-2063-L06.90-P5)
- Demo Rear Elevation (High Street) (RC-KT-XX-ZZ-DR-A-2063-L06.92-P3)
- Demo Side Elevation (Martins Lane) (RC-KT-XX-ZZ-DR-A-2063-L06.93-P4)
- Proposed Drainage Strategy (20.458/050 A)

Received 15.06.2022

- Proposed Basement Plan (RC-KT-XX-B1-DR-A-2063-L02.10-P10)
- Proposed Ground Floor Plan (RC-KT-XX-GF-DR-A-2063-L02.20-P13)
- Proposed First Floor Plan (RC-KT-XX-01-DR-A-2063-L02.30-P11)
- Proposed Second Floor Plan (RC-KT-XX-02-DR-A-2063-L02.50-P12)
- Proposed Third Floor Plan (RC-KT-XX-03-DR-A-2063-L02.60-P11)

- Proposed Fourth Floor Plan (RC-KT-XX-04-DR-A-2063-L02.70-P11)
- Proposed Fifth Floor Plan (RC-KT-XX-05-DR-A-2063-L02.80-P10)
- Proposed Roof Plan (RC-KT-XX-R-DR-A-2063-L02.90-P7)
- Proposed Sections 1 of 4 (RC-KT-XX-ZZ-DR-A-2063-L03.01-P7)
- Proposed Sections 2 of 4 (RC-KT-XX-ZZ-DR-A-2063-L03.02-P7)
- Proposed Sections 3 of 4 (RC-KT-XX-ZZ-DR-A-2063-L03.03-P5)
- Proposed Sections 4 of 4 (RC-KT-XX-ZZ-DR-A-2063-L03.04-P5)
- Proposed Side Elevation (Martins Lane) (RC-KT-XX-ZZ-DR-A-2063-L04.04-P7)
- Section, Elevation, Plan-Details 1 (RC-KT-XX-XX-DR-A-2063-L04.100-P4)
- Demolition First Floor Plan (RC-KT-XX-01-DR-A-2063-L06.30-P7)
- Demolition Second Floor Plan (RC-KT-XX-02-DR-A-2063-L06.50-P7)
- Demolition Sections 1 of 4 (RC-KT-XX-ZZ-DR-A-2063-L06.80-P6)
- Demolition Sections 3 of 4 (RC-KT-XX-ZZ-DR-A-2063-L06.82-P4)
- Demo Side Elevation (Lamb Alley) (RC-KT-XX-ZZ-DR-A-2063-L06.91-P5)

Reason: To ensure the development is constructed in accordance with the approved plans, unless modified by the other conditions of this permission.

Pre-commencement Details

3. Demolition Method Statement

No development related works shall take place within the site until a Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include detailed drawings and information on the measures that will be taken to ensure the protection of the heritage assets to be retained on the site and the protection of heritage assets around the site during the demolition works, and in the case of the former any temporary works to ensure their stability and protection while the construction works are carried out. The approved Statement shall be implemented in full.

Reason: To protect and preserve the listed building fabric to be retained on the site and the listed buildings around the site. These details are required pre-commencement as specified to ensure that due consideration has been given to the protection of heritage assets on and around the site before demolition works begin and that an appropriate plan/strategy is in place to carry out these works.

4. Structural Works

No development related works shall take place within the site until full details of the structural works (including foundations) for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include detailed drawings of the location and design of any new supporting structure (including sections of not less than 1:50 scale), the method(s) of fixing to the existing building fabric (at 1:20 scale) and installation methodology. The structural works shall be carried out strictly in accordance with the approved details unless modifications are agreed in writing with the Local Planning Authority prior to being carried out.

Reason: To protect and preserve the listed building fabric to be retained on the site. These details are required pre-commencement as specified to ensure that the structural works are designed and carried out to minimise the impact on the significance of the listed building fabric to be retained on the site.

5. Programme of Archaeological Work

No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

6. Programme of Historic Building Recording

No development related works shall take place until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation previously submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure that an appropriate record is made of the historic building fabric that may be affected by the development. This information is required before development commences to ensure that an appropriate programme of recording and analysis is secured and implemented before the historic fabric is affected by the development.

7. Construction Method Statement

No development 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) Construction vehicle numbers, type, routing;
- b) Access arrangements to the site (for construction workers and deliveries/waste collection);
- c) Traffic management requirements;
- d) A plan showing the construction site layout, including: security hoarding, alternative routes for pedestrians/vehicles where the site includes part of the highway, temporary cabins/toilets, areas for loading/unloading and storage of materials and equipment;
- e) Details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- h) Measures to control the emission of dust and dirt during construction;
- i) Measures to minimise noise nuisance 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 burning on site during construction or site preparation works.

The approved Statement shall be strictly adhered to throughout the construction period of the development.

Reason: To ensure that the construction works are carried out in an appropriate

manner to minimise the impact on the amenity of neighbouring uses and in the interests of the safety and convenience of highway users. These details are required pre-commencement as specified to ensure that building operations are carried out in an appropriate manner.

8. Waste Audit Statement

Prior to the commencement of the development hereby permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that waste generated during demolition and construction is managed sustainably.

9. Updated Noise Assessment

Prior to the commencement of the development hereby permitted, an Updated Noise Assessment shall be submitted to and approved in writing by the Local Planning Authority, including an assessment of noise impact on the apartments from the Ship Inn and commercial uses under construction within the former House of Fraser building to the northeast of the site. The sound insulation and other measures recommended in the approved report shall be implemented, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity of the apartments. These details are required pre-commencement as specified to ensure that the building is constructed with suitable sound insulation.

Pre-Specific Works

10. Energy Performance (Policies CP14 and CP15)

Before commencement of construction of the superstructure of the building hereby permitted, a SAP calculation for the building shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved, or if the building is constructed to the 2022 Building Regulations that a 10% reduction in CO2 emissions above the levels set out in Part L of the 2022 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented and within 3 months of practical completion of the building the developer shall submit a report to the Local Planning Authority from a suitably qualified consultant to demonstrate compliance with this condition.

Reason: In the interests of sustainable development and to ensure that the development accords with Policies CP14 and CP15 of the Core Strategy. These details are required pre-commencement as specified to ensure that the requirements of Policies CP14 and CP15 are met and the measures are included in the construction of the building.

11. Air Source Heat Pumps

Air Source Heat Pumps shall not be installed on the site unless the number,

location and technical details have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that they do not harm the significance of heritage assets either on or around the site.

12. PV Panels

Photovoltaic panels shall not be installed on the site unless the number, location and technical details have previously been submitted to and approved in writing by the Local Planning Authority together with an accompanying heritage statement.

Reason: To ensure that they do not harm the significance of heritage assets either on or around the site.

13. Materials

Prior to the construction of the building (except for the structural works approved under condition 4), product specification sheets and samples, including confirmation of colour, of the external facing materials and roof materials (including rainwater goods) of the building shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved materials.

Reason: In the interests of good design and the preservation of heritage assets (on and around the site), including their settings, in accordance with Policy CP17 of the Core Strategy, saved Policies C1, C2, C4 and DG1 of the Exeter Local Plan First Review, and paragraphs 130 and 197 of the NPPF (2021).

14. Biodiversity Enhancement Plan

Prior to the construction of the building (except for the structural works approved under condition 4), a Biodiversity Enhancement Plan, including details of the provision for nesting birds in the built fabric of the building, shall be submitted to and approved in writing by the Local Planning Authority. The approved enhancement measures shall be implemented in full as part of the development and retained thereafter.

Reason: To enhance biodiversity on the site in accordance with paragraph 9.28 and Appendix 2 of the Residential Design Guide SPD, and paragraph 180 of the NPPF (2021).

15. Fenestration Details

Prior to the installation of any new fenestration (windows/doors) large scale details, including sections to a scale of not less than 1:20, of the proposed windows/doors, along with confirmation of materials and finishes, shall be submitted to and be approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason: In the interests of good design and the preservation of heritage assets (on and around the site), including their settings, in accordance with Policy CP17 of the Core Strategy, saved Policies C1, C2, C4 and DG1 of the Exeter Local Plan First Review, and paragraphs 130 and 197 of the NPPF (2021).

16. Obscured Glazing

The two upper floor windows shown on drawing number RC-KT-XX-ZZ-DR-A-2063-L04.02-P4 ('Proposed Side Elevation (Lamb Alley)') shall be obscured glazed. Prior to the installation of the windows details of the obscured glazing, including level of obscurity, shall be submitted to and approved in writing by the

Local Planning Authority. The glazing shall be maintained as approved thereafter.
Reason: To protect the privacy of the occupiers of the apartment and neighbouring residents in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

17. Privacy Screen

The glazed balustrade shown on drawing number RC-KT-XX-ZZ-DR-A-2063-L04.02-P4 ('Proposed Side Elevation (Lamb Alley)') shall be obscured glazed. Prior to the installation of the balustrade details of the obscured glazing, including level of obscurity, shall be submitted to and approved in writing by the Local Planning Authority. The glazing shall be maintained as approved thereafter.

Reason: To protect the privacy of the occupiers of the apartment and neighbouring residents in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

18. External Lighting

No external lighting shall be installed on the site unless details of the lighting have previously been submitted to and approved in writing by the Local Planning Authority (including location, type and specification). The details shall demonstrate how the lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation if necessary), and how it will either preserve or enhance the significance of heritage assets on or around the site. The lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of local amenity, wildlife and the significance of heritage assets.

Advice: <https://historicengland.org.uk/advice/technical-advice/building-services-engineering/external-lighting-of-historic-buildings/>

Pre-occupation

19. Security

Prior to the first occupation or use of the development hereby approved, a statement shall be submitted to and approved in writing by the Local Planning Authority setting out how the development will achieve the physical protection measures recommended by the Designing Out Crime Officer in their consultation response dated 16.03.2022. The approved measures shall be implemented before the first occupation or use of the development and maintained thereafter.

Reason: In the interests of crime prevention and safety in accordance with saved Policy CP7 of the Exeter Local Plan First Review.

20. Highways 2 – Cycle Parking

Prior to the first occupation of any of the apartments in the development hereby approved, the bike store shown on drawing number RC-KT-XX-GF-DR-A-2063-L02.20-P13 ('Proposed Ground Floor Plan') shall be made available for use with cycle parking provision in accordance with details (type and number) previously submitted to and approved in writing by the Local Planning Authority. The store and cycle parking within it shall be maintained at all times thereafter.

Reason: To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

21. Updated Ventilation and Extraction Statement

Prior to the first use of the commercial units hereby approved, an Updated Ventilation and Extraction Statement shall be submitted to and approved in writing by the Local Planning Authority, including details of the equipment that will be installed to control smoke, odour and grease. The ventilation and extraction system within the approved Statement shall be implemented before the commercial units are brought into use and maintained thereafter.

Reason: In the interests of the amenity of the area.

Post Occupancy

22. Highways 1

All external doors and gates on the site adjoining public footways shall be inward opening or hung to not overhang the public footway when opening.

Reason: In the interests of the safety of pedestrians using adjoining public footways in accordance with paragraph 112 of the NPPF (2021).

23. Waste and Recycling Bins

No waste or recycling bins or containers shall be stored outside the integral bin stores of the building hereby approved except upon the day(s) of collection.

Reason: In the interests of the amenity of the neighbourhood and convenience of highway users.

24. Noise

The total noise from the development shall not exceed a rating noise level (measured in accordance with BS4142:2014) of 34 dB (07:00 to 23:00) and 24 dB (23:00 to 07:00) at any noise sensitive receptor, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the amenity of the locality.

and further **RESOLVED** that:-

The Director City Development be authorised to refuse planning permission for the reasons set out below if the Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) is not completed by 10 April 2023 or such extended times as agreed in writing by the City Development Manager.

In the absence of a Section 106 legal agreement in terms that are satisfactory to the Local Planning Authority being completed within an appropriate timescale, and which makes provision for the following matters:-

Subject to a Deferred Contributions Mechanism:

- £85,152 towards new secondary school provision at South West Exeter;
- £13,425 towards patient space at local GP surgeries;
- £22,661 to provide additional healthcare services at Royal Devon University Healthcare NHS Foundation Trust; and

- £2,173,238.07 affordable housing financial contribution.

All Section 106 contributions should be index linked from the date of resolution

22/0237/LBC

RESOLVED that the Director City Development be authorised to **GRANT** listed building consent for the reconstruction and extension of building (including partial demolition and repair of remaining building fabric) following extensive fire damage to create commercial food and beverage units at ground floor and residential units from first to fifth floor, subject also to the following conditions:-

1. Standard Time Limit – Listed Building

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. Approved Plans

The works hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this consent:

Received 16.02.2022

- Location Plan (RC-KT-XX-XX-DR-A-2063-L01.01-P3)
- Proposed Site Plan (RC-KT-XX-XX-DR-A-2063-L01.03-P4)
- Proposed First Floor Mezzanine Plan (RC-KT-XX-01-DR-A-2063-L02.40-P10)
- Proposed Front Elevation (Cathedral Green) (RC-KT-XX-ZZ-DR-A-2063-L04.01-P6)
- Proposed Side Elevation (Lamb Alley) (RC-KT-XX-ZZ-DR-A-2063-L04.02-P4)
- Proposed Rear Elevation (High Street) (RC-KT-XX-ZZ-DR-A-2063-L04.03-P4)
- Section, Elevation, Plan-Details 2 (RC-KT-XX-XX-DR-A-2063-L04.101-P3)
- Section, Elevation, Plan-Details 3 (RC-KT-XX-XX-DR-A-2063-L04.102-P3)
- Section, Elevation, Plan-Details 4 (RC-KT-XX-XX-DR-A-2063-L04.103-P3)
- Section, Elevation, Plan-Details 5 (RC-KT-XX-XX-DR-A-2063-L04.104-P3)
- Demolition Basement Plan (RC-KT-XX-B1-DR-A-2063-L06.10-P6)
- Demolition Ground Floor Plan (RC-KT-XX-GF-DR-A-2063-L06.20-P6)
- Demolition First Floor Mezzanine Plan (RC-KT-XX-01-DR-A-2063-L06.40-P6)
- Demolition Third Floor Plan (RC-KT-XX-03-DR-A-2063-L06.60-P6)
- Demolition Roof Plan (RC-KT-XX-R-DR-A-2063-L06.70-P4)
- Demolition Sections 2 of 4 (RC-KT-XX-ZZ-DR-A-2063-L06.81-P5)
- Demolition Sections 4 of 4 (RC-KT-XX-ZZ-DR-A-2063-L06.83-P3)
- Demo Front Elevation (Cathedral Green) (RC-KT-XX-ZZ-DR-A-2063-L06.90-P5)
- Demo Rear Elevation (High Street) (RC-KT-XX-ZZ-DR-A-2063-L06.92-P3)

- Demo Side Elevation (Martins Lane) (RC-KT-XX-ZZ-DR-A-2063-L06.93-P4)

Received 15.06.2022

- Proposed Basement Plan (RC-KT-XX-B1-DR-A-2063-L02.10-P10)
- Proposed Ground Floor Plan (RC-KT-XX-GF-DR-A-2063-L02.20-P13)
- Proposed First Floor Plan (RC-KT-XX-01-DR-A-2063-L02.30-P11)
- Proposed Second Floor Plan (RC-KT-XX-02-DR-A-2063-L02.50-P12)
- Proposed Third Floor Plan (RC-KT-XX-03-DR-A-2063-L02.60-P11)
- Proposed Fourth Floor Plan (RC-KT-XX-04-DR-A-2063-L02.70-P11)
- Proposed Fifth Floor Plan (RC-KT-XX-05-DR-A-2063-L02.80-P10)
- Proposed Roof Plan (RC-KT-XX-R-DR-A-2063-L02.90-P7)
- Proposed Sections 1 of 4 (RC-KT-XX-ZZ-DR-A-2063-L03.01-P7)
- Proposed Sections 2 of 4 (RC-KT-XX-ZZ-DR-A-2063-L03.02-P7)
- Proposed Sections 3 of 4 (RC-KT-XX-ZZ-DR-A-2063-L03.03-P5)
- Proposed Sections 4 of 4 (RC-KT-XX-ZZ-DR-A-2063-L03.04-P5)
- Proposed Side Elevation (Martins Lane) (RC-KT-XX-ZZ-DR-A-2063-L04.04-P7)
- Section, Elevation, Plan-Details 1 (RC-KT-XX-XX-DR-A-2063-L04.100-P4)
- Demolition First Floor Plan (RC-KT-XX-01-DR-A-2063-L06.30-P7)
- Demolition Second Floor Plan (RC-KT-XX-02-DR-A-2063-L06.50-P7)
- Demolition Sections 1 of 4 (RC-KT-XX-ZZ-DR-A-2063-L06.80-P6)
- Demolition Sections 3 of 4 (RC-KT-XX-ZZ-DR-A-2063-L06.82-P4)
- Demo Side Elevation (Lamb Alley) (RC-KT-XX-ZZ-DR-A-2063-L06.91-P5)

Reason: To ensure the works are carried out in accordance with the approved plans, unless modified by the other conditions of this consent.

3. Contract for Redevelopment Works

Unless otherwise agreed in writing by the Local Planning Authority, the works of demolition hereby authorised shall not be carried out before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason: To comply with Section 17(3) of the Planning Listed Building and Conservation Areas Act 1990 as amended in the interests of the significance of heritage assets on and around the site.

4. Demolition Method Statement

No listed building works shall take place within the site until a Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include detailed drawings and information on the measures that will be taken to ensure the protection of the listed building fabric to be retained on the site during the demolition works, and any temporary works to ensure their stability and protection while the construction and repair works are carried out. The approved Statement shall be implemented in full.

Reason: To protect and preserve the listed building fabric to be retained on the site.

5. Structural Works

No listed building works shall take place within the site until full details of the

structural works (including foundations) for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include detailed drawings of the location and design of any new supporting structure (including sections of not less than 1:50 scale), the method(s) of fixing to the existing building fabric (at 1:20 scale) and installation methodology. The structural works shall be carried out strictly in accordance with the approved details unless modifications are agreed in writing with the Local Planning Authority prior to being carried out.

Reason: To protect and preserve the listed building fabric to be retained on the site.

6. Programme of Historic Building Recording

No listed building works shall take place until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation previously submitted to and approved in writing by the Local Planning Authority. The works shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure that an appropriate record is made of the historic building fabric that may be affected by the works.

7. Materials

Prior to the commencement of the works (except for the structural works approved under condition 5), product specification sheets and/or samples, including confirmation of colour, of the internal and external materials of the building shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved materials.

Reason: To preserve the historic character of the listed buildings on the site.

8. Fenestration Details

Prior to the installation of any new fenestration (windows/doors) large scale details, including sections to a scale of not less than 1:20, of the proposed windows/doors, along with confirmation of materials and finishes, shall be submitted to and be approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason: To preserve the historic character of the listed buildings on the site.

9. External Lighting

No external lighting shall be installed on the site unless details of the lighting have previously been submitted to and approved in writing by the Local Planning Authority (including location, type and specification). The details shall demonstrate how the lighting has been designed to either preserve or enhance the significance of the listed buildings. The lighting shall be installed and maintained in accordance with the approved details.

Reason: To preserve or enhance the significance of the listed buildings on the site. Advice: <https://historicengland.org.uk/advice/technical-advice/building-services-engineering/external-lighting-of-historic-buildings/>

-

The report of the Director City Development was submitted.

RESOLVED that the report be noted.

42

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

43

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 1 November 2022 at 9.30 a.m. The Councillors attending will be Councillors Morse and Snow and one other.

(The meeting commenced at 5.30 pm and closed at 6.57 pm)

Chair

Planning Committee Report 22/0537/OUT

1.0 Application information

Number:	22/0537/OUT
Applicant Name:	Waddeton Park Ltd
Proposal:	Outline planning application for the demolition of existing buildings and structures and the phased development of up to 350 dwellings and associated infrastructure and open space. (All matters reserved except access)
Site Address:	Land At St Bridget Nursery Old Rydon Lane Exeter
Registration Date:	7 April 2022
Link to Documentation:	https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RABXGTHB03800
Case Officer:	Christopher Cummings
Ward Member(s):	Cllr Joshua Ellis-Jones, Cllr Andrew Leadbetter, Cllr Rob Newby

REASON APPLICATION IS GOING TO COMMITTEE

The Director of City Development considers the application to be a significant application that should be determined by the Planning Committee in accordance with the Exeter City Council Constitution.

2.0 Summary of recommendation

DELEGATE to GRANT permission subject to completion of a S106 Agreement and subject to conditions as set out in report below.

3.0 Reason for the recommendation:

In assessing the Outline application and access the proposal is considered to be a sustainable development when balancing the Development Plan policies, National Planning Policy Framework 2021 (NPPF) policies, including the presumption in favour of sustainable development in paragraph 11, National Planning Practice Guidance (NPPG), and the constraints and opportunities of the site.

The other material considerations, such as the layout of the development and design of the dwellings, will be assessed at Reserved Matters stage.

4.0 Table of key planning issues

Issue	Conclusion
Principle of Proposed Development	The principle of providing residential dwellings in this area is acceptable and supports the intended use of the site as set out in the Local Plan, Core Strategy and Newcourt Masterplan.
Access and Impact on Local Highways	<p>It is proposed to create a new main road through the development, closing off part of Old Rydon Lane for through traffic. Access will be from the west adjacent to Rydon Lane, with egress on the west and through a one-way highway to the east. There will be a number of secondary roads to access Old Rydon Lane and existing dwellings.</p> <p>The submitted Transport Assessment confirms that the level of vehicle movements can be accommodated on the existing road network. The Local Highway Authority confirmed that the proposed access points will not generate significant safety concerns and are acceptable.</p> <p>There is the potential for a future connection through third-party land to the north-east and this will be a requirement of the final design, alongside a number of cycle and pedestrian links to the north of the site to ensure suitable permeability for all modes of transport.</p> <p>Overall, the access is considered acceptable and does not generate any in-principle objections.</p>
Parking	<p>The Reserved Matters design will need to meet SPD requirements for vehicle parking (including electric vehicles). Secure cycle storage for each dwelling will need to be provided as well as car-club spaces.</p> <p>The Local Highway Authority requested a S106 contribution of £15,000 to deal with potential parking conflicts following completion of the development due to the proximity to the Exeter Chiefs</p>

Issue	Conclusion
	ground and issues with on-street parking on match days.
Affordable Housing	The proposal will meet policy requirements for affordable housing of 35%. This will be secured through the S106 agreement.
Noise From A379	There is a medium risk of adverse effects from noise and a bund or screen is proposed along the western boundary with the A379. A landscape bund is considered more attractive and sustainable than a hard screen. This will be required via condition, with it designed to allow pedestrian/cycle links through alongside an updated
Impact on Trees	It is noted that there are a number of high and moderate quality trees within the site. In line with Tree Manager recommendations the applicant will be advised to design the layout around these to minimise loss and harm
Impact on Biodiversity	The site is not a designated wildlife site, however surveys noted bat roosts, bird nests, badger trails and slow worms. Habitat Surveys will be required prior to each phase commencing to ensure appropriate protection and mitigation occurs.
Contaminated Land	A Phase 1 and Phase 2 contamination assessment was submitted which identified potential contaminants on site. A pre-commencement condition for mitigation measures will be required alongside further reports for areas not accessible during the original surveys due to being an active workplace. With the use of this condition it is considered that any contamination risks can be suitably managed both during the construction stage and once occupied.
Archaeology	There are no significant heritage assets in the surrounding area or

Issue	Conclusion
	archaeological designations. As such there are no significant impacts noted.
Impact on Air Quality	The site is not within an Air Quality Management, however there is one to the south at Countess Wear. An Air Quality Assessment was submitted and confirmed that the impacts were not significant and would not exceed Government levels. Sustainable transport measures will be required in the design of the site to help mitigate potential impacts.
Flood Risk and Surface Water Management	The site is within Flood Zone 1 and at low risk of flooding. The increase in hard surfaces will see potential surface water issues however it is proposed to manage this with swales and basins. This is considered acceptable in principle subject to full details at Reserved Matters based on the final site layout.
Sustainable Construction and Energy Conservation	A Waste Audit Statement and decentralised energy use will be required. This matter will form part of the Reserved Matters.
CIL/S106	<p>The proposal is CIL liable. In addition the following planning obligations must be secured in a s106 legal agreement to make the development acceptable in planning terms:</p> <ul style="list-style-type: none"> • 35% affordable housing (at least 25% First Homes, 70% social rented and the remaining balance as intermediate) • £607 per dwelling (up to £212,450) for additional healthcare services provided by Royal Devon University Healthcare NHS Foundation Trust • £719.79 per dwelling (up to £251,927) for Special Education provision by Devon County Council Children's Services

Issue	Conclusion
	<ul style="list-style-type: none"> • £584 per dwelling (up to £204,288) to provide additional capacity at local healthcare facilities in accordance with the comments by NHS Devon CCG • £15,000 to Devon County Council for parking restrictions • £1,359.51 per affordable dwelling to mitigate the impact of the development on the Exe Estuary SPA and the East Devon Pebblebed Heaths SAC and SPA • Unencumbered vehicle and pedestrian/cycle link to the north-east site boundary. • Pedestrian/cycle links to existing pedestrian/cycle path running adjacent to the northwest site boundary • Public open space and play provision in accordance with the comments from the Public & Green Spaces Team
Development Plan, Material Considerations and Presumption in Favour of Sustainable Development	The proposal is considered to accord with the Development Plan given that the site falls within the Newcourt strategic allocation, and there are no material considerations to indicate that the application should be refused, taking into account the advice of consultees and the imposition of conditions.

5.0 Description of site

The application site is a 13.2 ha broadly triangular parcel of land located in the Newcourt area of the city. The topography of the site has a mild slope from north to south.

The eastern part of the site is still in operational use for horticulture and garden centre related uses, however this aspect is not open to the public. There are a number of existing buildings and structures currently on site, including offices, growing areas, polytunnels, storage buildings and hard surfaces.

Potential bat roosts and bird nests were noted in a number of the existing buildings, alongside badger trails and slow worms.

There are a number of hedges and trees within the site including a group of trees running along the north-west boundary fronting Rydon Lane, trees to the south east of existing on-site buildings and an assortment of trees and other planting bordering a triangular field area in the south-east corner of the site.

To the north of the site is Rydon Lane (A379) with the employment area of Pynes Hill beyond this. To the immediate north-east is an undeveloped plot of land, leading to a highway and Ikea and to the east is a recent residential development at Newcourt Way.

To the west, across Rydon Lane is the West of England School and College, including private and public open space leading to Ludwell Valley Park.

To the south runs Old Rydon Lane, a two-way street, with a single property on the northern side of the road, Weir View House. On the southern side of Old Rydon Lane there are dwellings with the majority fronting northwards towards the road, with the exception of a new development at Holland Park. Further to the south, behind the dwellings is Exeter Golf and Country Club.

The site is located within the Newcourt Strategic Allocation as set out in policy CP19 and Plan 1 of the Core Strategy (2012). This proposes 3,500 dwellings and 16ha of employment land and supersedes the allocation set out in the Local Plan First Review (2005).

The site falls within Flood Zone 1, however does not fall within any other designated site. It is within 10km of the Exe Estuary Special Protection Area (SPA), Dawlish Warren Special Area of Conservation (SAC) and East Devon Pebblebed Heaths SPA and SAC.

6.0 Description of development

The proposal is to develop up to 350 dwellings on the site, including 35% affordable homes, together with supporting infrastructure and open space, following the demolition of the existing buildings and structures. The application is outline with all matters reserved except access.

In relation to the access, the following is proposed:

- Vehicle access to the site from Rydon Lane onto new main street with closure of access through Old Rydon Lane from the west. Exits from the site will be at the Rydon Lane access point and a new access onto Old Rydon Lane (heading east) which will become a one-way street.
- Two secondary access points will be created onto Old Rydon Lane, as well as use of the existing access point (exit only). The section of Old Rydon Lane

between these access points will be downgraded to a 'green lane', which will be accessible to pedestrians and cyclists, and vehicles accessing the existing housing along Old Rydon Lane to the south of the site.

In addition, the Illustrative Layout drawing submitted in support of the application shows a potential connection on the northeast site boundary to the adjoining undeveloped land and a pedestrian/cycle connection to the existing cycle route to the north. These connections and additional pedestrian/cycle connections on the site boundary will be secured in the s106 legal agreement to improve site permeability/connectivity.

NB. As this is an outline application, the developer must submit further proposals for formal approval by the City Council. As we strive for the highest quality development and are committed to raising design standards, applicants will be expected to engage with the Exeter Design Quality Partnership (EDQP) before submitting reserved matters details for formal approval. The National Planning Policy Framework requires that local planning authorities have regard for the outcome of design-led processes, including recommendations made by design review panels. The EDQP is Exeter's preferred route to ensure consistent advice across the city's development.

7.0 Supporting information provided by applicant

- PCL Planning Covering Letter (05 April 2022)
- Ecological Impact Assessment (08 February 2022)
- Environmental Noise Assessment (28 September 2020)
- Interim Travel Plan (31 January 2022)
- Design and Access Statement (March 2022)
- Tree Survey (Received 07 April 2022)
- Sustainable Drainage Statement and Level 2 Flood Risk Assessment (January 2022)
- Heritage Assessment (November 2020)
- Planning Statement (January 2022)
- Transport Assessment (31 January 2022)
- Archaeological Survey (December 2020)
- Phase 1 Desk Study and Phase 2 Preliminary Ground Investigation (April 2021)

The following supporting information was submitted during the application assessment period:

- Air Quality Assessment (09 August 2022)
- Surface Water Drainage Statement Addendum 1 (28 June 2022)

8.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
------------------	-----------------	-----------------	----------------------

02/1736/FUL	Provision of building (500 sq. metres) for use as store to replace existing	PER	10.01.2003
00/0617/FUL	Extension to garden shop and realignment of internal roadway	PER	05.06.2000
97/0565/FUL	Construction of new entrance lobby to retail store, construction of new toilet facilities and extension and use of existing staff messroom to provide new cafe, and other external works including new covered walkway, boundary fence and realignment of...	PER	28.08.1997

9.0 List of constraints

The site is in close proximity to the Air Quality Management Area (AQMA) to the south at Countess Wear roundabout. There are no other constraints except for the ecological and tree considerations.

10.0 Consultations

All consultee responses can be viewed in full on the Council's website.

Natural England: Advise that a Habitat Regulations Assessment is required as it falls within the 'zone of influence' for East Devon Pebblebed Heaths SAC, East Devon Heaths SPA and Exe Estuary SPA as set out in the Local Plan and the South East Devon European Sites Mitigation Strategy and is 'likely to have a significant effect' due to increased recreational pressure.

RSPB: Support the protection and enhancement of biodiversity at the site but question the range of integral bird boxes proposed. Recommendations made on preferred bird box designs.

Devon and Somerset Fire and Rescue Services: No in-principle objection to proposal. Full details will be required at Reserved Matters in relation to dwelling design and roads and access to dwellings to ensure they are acceptable.

South West Water: No objection subject to submission of details of foul and surface water drainage. This should follow the drainage hierarchy to limit surface water entering sewers where possible.

Map provided shows foul waste to the north of Rydon Lane and to the south (to the rear of the dwellings) of Old Rydon Lane. There is a combined sewer running through the south-west corner of the site.

Wales and West Utilities: No specific comments provided, however pipe network plan provided showing medium pressure pipes running adjacent to the northern boundary and cutting through the western part of the site, along the southern boundary and extending partially in the south-eastern part of the site.

Exeter Airport: No conflict with safeguarding criteria from this proposal. Safeguarding guidance notes provided. It was noted that SUDS will require monitoring to ensure water does not persist beyond projections and create bird strike issues for aviation. A Wildlife Hazard Management Plan is recommended as application progresses to ensure manage risk to aviation.

Royal Devon University Healthcare NHS Foundation Trust: The trust is currently operating at full capacity and S106 contribution is requested of £418,148 to mitigate for the increase in population in this area.

NHS Devon Clinical Commissioning Group: Local surgeries of Glasshouse Medical Centre, Wonford Green Surgery and Hill Barton Surgery are over capacity and S106 contributions of £204,288 was requested to mitigate for the additional GP services needed.

Public Health Devon: Consider greater consideration for health impacts is needed and a Health Impact Assessment should be undertaken. Large public amounts of open public and amenity space is noted. Use of attenuation basin for floods raises concerns over potential health hazard and safety hazard and mitigation measures should be considered. Noise and air quality impacts must be considered. Proposed trees need to be allowed to reach maturity to reduce carbon within the development. Use of green modes of transport welcomed, however e-bike/mobility scooter charging should be included. Affordable housing levels of 35% are welcomed.

Western Power: Advised that LV assets are on the site and they must be removed. The HV circuit has a maximum capacity of 1MVA for future developments and the new loading requirements must be considered. The submitted Western Power plan shows a number of low-voltage cables in the south-west aspect of the site, connecting to a high voltage line running along Old Rydon Lane.

Police Designing Out Crime Officer: No objection to proposal. The use of 'Secured by Design' principles is welcomed and guidance provided in relation to layout at Reserved Matters stage. These aspects include design of hedgerow, appropriate boundary treatment, pedestrian routes, lighting and parking layouts.

Local Highway Authority (Devon County Council): No in-principle objections to proposal. A detailed Transport Assessment was submitted which demonstrates that existing junctions have capacity for this development and would not generate a severe highway impact.

The main thoroughfare will see access changes adjacent to Rydon Lane which would increase the current capacity of vehicle movements. Old Rydon Lane would see a low-level of movements for access to existing dwellings and due to its alignment and narrow width would be highly unlikely to be used as a 'rat run'. Visibility splays can be achieved and there is not considered to be significant highway safety impacts. The site has existing footways adjacent to it, offering ideal access points for pedestrians/cyclists. This will be dealt with at Reserved Matters stage.

Large vehicles are able to access/egress the site and it may be technically possible for a bus route to operate through the site in the future.

Parking and cycle parking will be dealt with at Reserved matters stage.

The design of the site should incorporate the link to the north-east into third-party land which will link to the Ikea roundabout. This would need to form part of the Reserved Matters should the third-party land come forward for development. The change in alignment to Old Rydon Lane would require a Traffic Regulation Order (TRO) and it is recommended to engage as early as possible with the Highway Authority. There are existing TRO's occurring on Old Rydon Lane and should consent be granted then these would need reconsideration.

A S106 contribution of £15,000 was requested to look at parking restrictions once the site has been occupied. This would allow for additional parking measures as required once the roads have been adopted, with particular reference to dealing with parking issues on match days for Exeter Chiefs.

The submitted Travel Plan is broadly acceptable, however the voucher scheme would need to be expanded. An updated Travel Plan would be required at Reserved Matters.

Lead Local Flood Authority (Devon County Council): No in-principle objection subject to further details at Reserved Matters stage. The surface water is proposed to be managed with permeable paving, multiple swales and basins. These should provide opportunities for treatment and interception. Allowance for future development of Weir View has been included. Full details of the drainage system, including soakaway tests, management exceedance flows and management should be submitted at Reserved Matters.

Local Education Authority (Devon County Council): Identified an additional 87.5 primary pupils and 52.5 secondary pupils which would have direct impact on schools in Exeter. With the opening of Monkerton Primary School it is noted that there is sufficient capacity for primary and early-years pupils. With the opening of Matford

Brook Academy there is sufficient capacity for secondary pupils. There will be an increase of 2.8 pupils requiring specific Special Education and contributions are requested at a level of £251,927 for 1.75 primary and 1.05 secondary pupils.

Waste Planning Authority (Devon County Council): The application was not submitted with a Waste Audit Statement and one will be required at Reserved Matters stage. This will ensure waste generated through construction and operational phases is managed in accordance with the waste hierarchy.

Environmental Health: Originally raised objections due to lack of information relating to air quality impacts and appropriate mitigation. Following submission of an Air Quality Assessment this objection was withdrawn as the impact is acceptable and no mitigation is required.

The Phase 2 intrusive investigation recommended further investigation and remediation methods for potential contaminants. A pre-commencement condition was recommended for this to be undertaken.

A condition relating to a Construction Method Statement was recommended to limit impacts during the construction phase of the development.

Public & Green Spaces Team: No objection, subject to the following minimum requirements for play provision to be secured via S106 agreement:

- Local Areas of Play within 100m of dwellings
- Local Equipped Area of Play within 400m
- Neighbourhood Equipped Plan Area

Tree Manager: Comments on indicative layout submitted. Arboricultural Impact Assessment will be required at Reserved Matters. Concerns raised over positioning of units and impact on adjacent trees and use the Tree Constraints Plan to guide the design process. Due to number and quality of trees on site it will be challenging to meet the number of units proposed.

Exeter Cycling Campaign: Commented on a number of aspects as follows: Access/egress points for cycling should be confirmed as different points shown on submitted documents. North-east connection is referred to as 'potential', however this should be provided as a strong desire line to the east towards Ikea. Priority to cyclists on Rydon Lane/Old Rydon Lane junction should be considered with a raised table and markings to reduce speeds. Mobility hub is welcomed however it is recommended that 'traditional cycle parking' be expanded to include non-standard bikes (hand bikes, cargo bikes etc). Cycle paths through the site should connect up coherently. Request that minimum level of cycle parking be exceeded to promote foot/bike travel.

11.0 Representations

73 comments have been received, with 70 objecting to the proposal, 2 neutral and 1 supporting.

The 67 objections received raised the following concerns:-

- Safety concerns regarding speed of traffic on Rydon Lane.
- Increase in traffic on Rydon Lane and will not be able to cope with increase.
- Proposed junction onto Rydon Lane is inadequate.
- Number of serious accidents at junction with Rydon Lane and significant changes required to improve safety in this area including recent cyclist accident.
- Concerns over capacity on Rydon Lane for right turn from Countess Wear onto Old Rydon Lane.
- Old access from site onto Old Rydon Lane should be retained as footpath and cycle track.
- Safe crossing for cyclists/pedestrians needed at Rydon Lane junction, possibly traffic lights.
- Traffic joining eastern part of Old Rydon Lane will join at narrowest point where it becomes single lane.
- Poor visibility intersection with Newcourt Drive will see significant traffic increase and queues.
- Traffic Regulation Order required for changes to Old Rydon Lane and this has been challenged. Application should not be determined until this has been resolved.
- DCC Highways response does not address the impacts of making Old Rydon Lane one-way.
- DCC Response does not engage with both possibilities; that the TRO is made or the TRO is not made.
- Meeting notes from 2021 with DCC Highways state that the proposal is 'crying out' for a connection to the roundabout spur to the north-east.
- Proposed layout fails to provide movement network through the site.
- Recommended for access point through land to north-east connecting to roundabout to west of Ikea.
- No engagement with landowner to north-east to provide access.
- Lack of access points for pedestrians/cycles to north-west of site.
- Impacts of traffic and new road on residents of Old Rydon Lane.
- Increase in traffic flow on Old Rydon Lane and Rydon Lane.
- Lack of detail on secondary access points from new road to Old Rydon Lane.
- Creation of one-way street on Old Rydon Lane will result in dangerous conflict between vehicles, pedestrians and cyclists.
- Eastern access is 'overly engineered' and severs green parkland area adjacent to Albatross Road.
- Use of 'lightly segregated' footway on Old Rydon Lane to allow larger vehicles to run over radii is dangerous.
- Transport Assessment is out of date and does not use guidance recommendations.
- Old Rydon Lane cannot be made 'green' with increase in traffic on east and western ends.

- Removal of ability for occupants of dwellings on Old Rydon Lane to turn left out of driveways.
- 20mph speed limit restriction and traffic calming measures should be installed on Old Rydon Lane.
- Existing shared pathway on Rydon Lane does not meet guidelines and requires improvement to accommodate increase in users.
- Reduced speed limit on Rydon Lane should be introduced of 30mph.
- Current lack of pavement for pedestrians on Old Rydon Lane.
- Increase in traffic noise on Old Rydon Lane.
- Increase in pollution from vehicles on Old Rydon Lane.
- Old Rydon Lane is a current rat run, especially at peak times
- Roads should be resident access only
- Too many access points onto Old Rydon Lane
- Loss of prime agricultural land
- No dwellings should be south of line of housing in Albatross Road.
- Right hand turn from Rydon Lane into site is not large enough to accommodate increased traffic.
- Loss of light and sunlight from height of new dwellings
- Increase in noise from new dwellings.
- Recommendations made regarding placement of dwellings.
- Impact on local infrastructure (GP surgeries, schools, retail etc.)
- Lack of separation between development and Albatross Road.
- Overlooking of properties on Albatross Road.
- Loss of view from dwellings on Albatross Road.
- Loss of green space.
- Green barrier should be installed towards Rydon Lane.
- Impacts on services such as internet speeds, electricity and water pressure. Recent developments have already caused issues with these.
- Objection to removal of trees/shrubs between Albatross Road and application site which provide barrier between sites.
- Existing trees on site should be retained as add to aesthetics, ecology and mature feel of the development. Loss of trees should be at a minimum.
- Loss of specimen trees and bushes between Albatross Road and application site.
- No clear benefits to local community.
- Change in housing dynamic in surrounding area from owners to renters
- Scale of development is excessive and should be reduced.
- Poor drainage solution of attenuation ponds.
- Concerns over flooding from development. Old Rydon Lane already experiences a level of flooding from surface water run-off.
- Land should be used as nature reserve instead
- Lack of GP surgery for Newcourt
- Site would be better suited for driving range or allotments and not dwellings.
- Impact on local wildlife using the land such as woodpeckers, foxes, insects and bats.
- Stress on Council services.

- Semi-rural character of the area will become inner-city character.
- What will be done about asbestos on site?
- Large carbon footprint from development and loss of site that is existing natural carbon sink.
- Collective contaminant impacts have not been taken into account on the site.
- Site should be subject to unexploded ordnance surveys to ensure no WW2 bombs lie undetected.
- Surrounding area is a characterless mass of 'overpriced executive housing'
- Lack of affordable housing for locals wishing to stay in this area.

In addition a letter with 20 signatures was submitted objecting to:

- Proximity of properties to Albatross Road and design of site
- Lack of detail on design of the houses
- Traffic flow and heavy modifications required to Rydon Lane to accommodate the additional volume of cars
- Drainage, with concerns about stagnant ponds and child safety
- Impact on local infrastructure

The neutral comments related to:

- Request for Tree Preservation Order for liquidamber tree within site close to existing access point (at centre of site).
- Request for swift boxes on new buildings.
- Noting that there are green woodpeckers, a protected species, on site.

There has been 1 letter of support received commenting that:

- Good site for houses.
- Good to see plans for 1-bed and 2-bed dwellings.
- Hopefully dwellings to help those on low incomes.

It should be noted that this application is for Outline planning permission with all matters apart from Access being reserved. A high number of comments relate to the overall site layout which is not to be determined at this time and will be dealt with through later Reserved Matter applications.

All other matters will be dealt with in Section 16 (Planning Assessment) of this report.

12.0 Relevant policies

National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2021) – in particular sections:

2. Achieving sustainable development

4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Planning Practice Guidance (PPG):

Air quality
Appropriate assessment
Climate change
Community Infrastructure Levy
Design: process and tools
Effective use of land
First homes
Flood risk and coastal change
Healthy and safe communities
Historic environment
Housing for older and disabled people
Housing: optional technical standards
Housing supply and delivery
Land affected by contamination
Natural environment
Noise
Planning obligations
Renewable and low carbon energy
Transport evidence bases in plan making and decision taking
Travel Plans, Transport Assessment and Statements
Use of planning conditions
Viability
Waste
Water supply, wastewater and water quality

National Design Guide (October 2019)

National Model Design Code (MHCLG, 2021)

Manual for Streets (CLG/TfT, 2007)

Cycle Infrastructure Design Local Transport Note 1/20 (DfT, July 2020)

Protected species and development: advice for local planning authorities (Natural England and DEFRA, 7 January 2021)

Protected sites and areas: how to review planning applications (DEFRA and Natural England, 5 August 2016)

Biodiversity duty: public authority duty to have regard to conserving biodiversity (Natural England and DEFRA, 13 October 2014)

Guidance for Outdoor Sport and Play Beyond the Six Acre Standard England (Fields in Trust, 2020)

Development Plan

Core Strategy (Adopted 21 February 2012)

- CP1 – Spatial strategy
- CP4 – Density
- CP5 – Mixed Housing
- CP7 – Affordable Housing
- CP9 – Transport
- CP11 – Pollution
- CP12 – Flood Risk
- CP13 – Decentralised energy networks
- CP14 – Renewable and Low Carbon Energy
- CP15 – Sustainable Construction
- CP16 – Green Infrastructure, Landscape and Biodiversity
- CP17 – Design and Local Distinctiveness
- CP18 – Infrastructure
- CP19 – Strategic allocations

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

- AP1 – Design and location of development
- AP2 – Sequential approach
- E3 – Retention of employment land or premises
- H1 – Search sequence
- H2 – Location priorities
- H3 – Housing sites
- H7 – Housing for disabled people
- L4 – Provision of playing fields
- T1 – Hierarchy of modes
- T2 – Accessibility criteria
- T3 – Encouraging use of sustainable modes
- T5 – Cycle route network
- C5 – Archaeology

LS2 – Ramsar/Special Protection Area
LS3 – Sites of Special Scientific Interest
LS4 – Nature Conservation
EN2 – Contaminated land
EN3 – Air and water quality
EN4 – Flood risk
EN5 – Noise
DG1 – Objectives of urban design
DG5 – Provision of open space and children’s play areas
KP8 – Newcourt area

Devon Waste Plan 2011 – 2031 (Adopted 11 December 2014) (Devon County Council)

W4 – Waste Prevention
W21 – Making Provision for Waste Management

Other Material Considerations

The Exeter Plan – Outline Draft Plan (September 2022)

S1 – Spatial Strategy
S2 – Liveable Exeter delivery principles
CE1 – Net Zero Exeter
CE2 – Local Energy Networks
CE3 – Flood Risk
H1 – Housing Requirement
H2 – Housing Allocations (Site 83)
EJ2 – Retention of Employment Land
STC1 – Sustainable Movement
STC2 – Active and Sustainable Travel in New Developments
STC3 – Active Travel Proposals
STC4 – Public Transport Proposals
STC5 – Digital Communications
NE3 – Biodiversity
NE4 – Green Infrastructure
HH1 – Conserving and Enhancing Heritage Assets
D1 – Design Principles
H1 – Health and Wellbeing
IC1 – Delivery of Infrastructure
IC2 – Community Facilities

Exeter City Council Supplementary Planning Documents:

Affordable Housing SPD (April 2014)
Sustainable Transport SPD (March 2013)
Planning Obligations SPD (April 2014)
Public Open Space SPD (Sept 2005)
Residential Design Guide SPD (Sept 2010)
Trees and Development SPD (Sept 2009)

Devon County Council Supplementary Planning Documents:

Minerals and Waste – not just County Matters Part 1: Waste Management and Infrastructure SPD (July 2015)

Exeter City Council First Homes Planning Policy Statement (June 2021)
Exeter City Council Annual Infrastructure Funding Statement 2021/22 Report
Net Zero Exeter 2030 Plan (Exeter City Futures, April 2020)
Newcourt Masterplan (2010)
Archaeology and Development SPG (November 2004)

13.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

It is acknowledged that there are certain properties where they may be some impact, however this will be fully assessed at Reserved Matters and can be mitigated by imposing conditions. However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme in terms of provision of delivery of new dwellings, including affordable housing.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against

adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

14.0 Public sector equalities duty

As set out in the Equality Act 2010, all public bodies, in discharging their functions must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

15.0 Financial issues

The requirements to set out the financial benefits arising from a planning application is set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development which officers consider are likely to be obtained by the authority if the development is carried out including their value if known and should include whether the officer considers these to be material or not material.

Material considerations

- 35% affordable housing (122 dwellings if 350 dwellings developed and financial contribution for 0.5 of a dwelling towards off-site affordable housing – cannot be calculated until reserved matters confirms dwelling sizes).
- Public open space with play provision
- £607 per dwelling for additional healthcare services provided by Royal Devon University Healthcare NHS Foundation Trust
- £719.79 per dwelling for Special Education provision by Devon County Council Children’s Services
- £584 per dwelling to provide additional capacity at local healthcare facilities in accordance with the comments by NHS Devon CCG
- £15,000 to Devon County Council for parking restrictions
- £1,359.51 per affordable dwelling to mitigate the impact of the development on the Exe Estuary SPA and the East Devon Pebblebed Heaths SAC and SPA
- Job creation during construction phase

Non material considerations

CIL contributions – The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on site. This proposal is CIL liable. The rate at which CIL is charged for this development is £80 per sq metre plus new index linking. Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued prior to the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development. Full details of current charges are on the Council’s website. The rate per sq m for residential development in 2023 is £126.79.

The proposal will generate Council Tax.

16.0 Planning assessment

The key issues are:

1. The Principle of the Proposed Development
2. Access and Impact on Local Highways

3. Parking
4. Affordable Housing
5. Noise from A379
6. Impact on Trees
7. Impact on Biodiversity
8. Contaminated Land
9. Archaeology
10. Impact on Air Quality
11. Flood Risk and Surface Water Management
12. Sustainable Construction and Energy Conservation
13. CIL/S106
14. Development Plan, Material Considerations and Presumption in Favour of Sustainable Development

1. The Principle of the Proposed Development

The site is allocated under policy KP8 in the Local Plan First Review (2005) and policy CP19 of the Core Strategy (2012), with Plan 1 (Newcourt Strategic Allocation) of the Core Strategy setting the area covered by this. Policy CP1(i) seeks at least 12,000 new dwellings in the city, with CP1(iii) setting out the Newcourt area for dwellings within a planned and integrated urban extension. Policy CP19 sets out a level of 3,500 homes and 16ha of employment in the Newcourt area of the city. The Newcourt Masterplan (2010) provides further details, with the application site within an area clearly shown for residential development in the Masterplan Figure, with an estimated 472 dwellings. It should also be noted that while it currently carries very limited weight, the Exeter Plan – Outline Draft Plan (September 2022) proposes to allocate the site for housing (Policy H2) with an estimated figure of 334 dwellings being provided.

It is noted that there is an existing employment use at the site, however the public facing side of St Bridget Nurseries is in another location on Sidmouth Road, Clyst St Mary with this site serving as offices and growing areas. The wider Newcourt Masterplan and in situ developments should be taken into account when assessing the loss of employment as there have been deviations from the proposed layout. The Ikea site to the north-east was constructed on land earmarked in the Newcourt Masterplan for housing (200 dwellings) and delivered retail (with employment provision) instead, leaving a shortfall of dwelling delivery for the wider area. It is therefore considered that the loss of employment has been mitigated by other developments in the wider area and on balance is acceptable and accords with policy E3 of the Local Plan and policy CP2 of the Core Strategy.

The proposal is for up to 350 dwellings which is noted as being below the 472 estimate set out in the Newcourt Masterplan. The overall site density is a level of 26dph, however with the public green space, infrastructure and drainage areas discounted there is a level of 40dph in the areas being occupied by dwellings.

There are constraints on the site, including access routes, green space provision, drainage areas and landscape buffers. The submitted Design and Access Statement discusses aspects of the density, noting that due to the scale of development there is a larger level of green space and play facilities required than neighbouring schemes, as well as provision of drainage areas due to the raised position above Old Rydon Lane. The surrounding built form was also taken into account, with it predominantly being houses, rather than flats. The indicative site layout has a mix of dwelling types with higher density levels (such as 1 or 2-bed dwellings) adjacent to the primary highway, and lower density levels towards the site boundaries for 3 and 4-bed dwellings.

On balance, and taking into account the lower housing numbers proposed in the Exeter Plan Outline Draft Plan (September 2022) the density levels are considered acceptable and will provide a range of housing types within the site, alongside

Policy CP17 of the Core Strategy (2012) also sets out requirements that the development will 'exhibit a high standard of sustainable design that is resilient to climate change and complements or enhances Exeter's character, local identity and cultural diversity'. This policy sets out key requirements for Newcourt, including the design, retention of green features, low/zero carbon energy and high quality sustainable movement network. The majority of these aspects will be dealt with at Reserved Matters stage, however the sustainable movement network requirements is of relevance as part of the Access matters. There is proposed to be a north-south pedestrian/cycle link through the site, as well as a link to third party land to the north-east. Old Rydon Lane is also proposed to be partially closed and a one-way system introduced further enhancing cycle and pedestrian links along that route. It is therefore considered that, whilst the majority of matters will be dealt with at Reserved Matters, those aspects relevant to this Outline set out in CP17 are met in-principle.

Overall, the proposal is considered to be acceptable in principle, accounting for the current adopted and emerging development plan policies referred to above.

2. Access and Impact on Local Highways

Vehicular access is proposed from Old Rydon Lane, primarily adjacent to the junction with Rydon Lane to the west. A new road through the site is proposed, with Old Rydon Lane being closed off at this point to direct all traffic through this development. There will be a number of connecting points from the new road into Old Rydon Lane, however the new road will run to the east, joining with Old Rydon Lane towards Newcourt Way. This eastern part of Newcourt Way is proposed to be a one-way street with vehicle traffic going towards Newcourt Way. The vehicular access is therefore from Rydon Lane to the west, with the egress via Old Rydon Lane to both the east and the west.

The Local Highway Authority were consulted on the proposal and raised no in-principle objections to the scheme.

A detailed Transport Assessment was submitted with the proposal which indicated a total of 158 and 153 two-way trips in the AM and PM peak hours respectively. The current use of the site already generates traffic movements, and with this taken into consideration there is an additional 137 and 88 two-way trips in the AM and PM peak hours. This averages out to approximately one additional vehicle movement every 30 seconds in the AM peak. The submitted Transport Assessment demonstrates that, with the inclusion of future growth, the site and surrounding junctions have sufficient capacity to accommodate this development.

The western access point will see a wider carriageway installed with footway/cycleways which can accommodate an increased level of vehicle movements from Rydon Lane. Old Rydon Lane would be closed off on this western side, with access via secondary roads from the new highway through the development site. It was noted by the Local Highway Authority that Old Rydon Lane would see low level of movements and would be highly unlikely to be used as a 'rat run' due to the alignment, narrow nature of the road and road layout to the east. It is noted that this access point would lead to increased traffic movements for the two dwellings on the far western side of Old Rydon Lane. However, this is not considered to be significant, with the new highway directing traffic away from these properties and the existing dwellings being set back from the street frontage, with additional distance between the new vehicle highway being created by cycleways running in front of the properties.

Along Old Rydon Lane, connecting streets into the development are proposed for access to the existing dwellings. Where there are connections to the south, into Holland Park, these junctions are to be retained. Newcourt Road, to the east, will continue be a right-turn only, which is currently being agreed through a Traffic Regulation Order, with Holland Lane retained as a two-way junction allowing egress to the east and west.

To the east the main highway through the site joins Old Rydon Lane just before the Albatross Road development. Old Rydon Lane is then proposed to become a one-way street through the narrowest point, connecting with Newcourt Way. Letters of objection were received in relation to this aspect, however it is noted that the changes to this road are currently being undertaken through a Traffic Regulation Order (TRO) as part of Phase 3 of the Holland Park development to the south-east. Whilst this is shown as proposed on the plans, it forms part of a requirement for a separate development and will help in providing a safe egress from the site onto Newcourt Way. The TRO is currently under consideration and the objectors have advised they have submitted representations in relation to this.

In relation to this application, a TRO would be required for all the proposed works on Old Rydon Lane and a condition would be required for these to be secured prior to commencement on site. This requirement for a TRO would mean that if it cannot be

agreed in an acceptable format then the scheme would not be able to provide safe access and would not be able to be developed in this current form.

Public comments also raised that a connection to the north-east would be preferred, linking to the roundabout to the west of Ikea. This roundabout is in situ and has a junction head already installed. Whilst this additional connection would be welcomed, there is third-party land between the connecting points, with this land intended for employment use as set out in the Newcourt Masterplan.

Comments have been submitted on the lack of contact with the third-party landowner, however this would fall outside the matters considered with this planning application. Comments from the public also referenced a 2021 meeting in which DCC Highways commented that the proposal was 'crying out' for a link to the north-east. In relation to this, the submitted scheme with access via Old Rydon Lane is found to be acceptable by the Highway Authority. It is therefore considered that the lack of a connection point to the north-east is not a suitable reason for refusal of this proposal, with suitable access provided.

A future connection point to the site boundary will be designed into the scheme and forms a part of the S106 agreement and will be a requirement of the Reserved Matters layout, with it designed to ensure that it can accommodate expected vehicle movements, as well as pedestrians and cyclists, should the connection through third-party land come forward.

It is therefore concluded that safe access can be provided for this development in the submitted format via access to Old Rydon Lane. A connection point for a future link to the north-eastern roundabout through the third-party land will be a requirement of the Reserved Matters scheme.

It was noted by the Local Highway Authority that suitable visibility splays can be achieved on all access points in line with Manual for Streets guidance. It was also confirmed that the access point designs will be able to accommodate large vehicles and that it may be technically possible to run a bus route through the site if required in the future. This will enhance sustainable travel choice to new and existing residents.

There is an existing pedestrian and cycleway to the north of the site and the Illustrative Layout shows a connection to this. It is considered that connections to this cycleway are important and necessary to create good permeability through the application site. At this point the layout is indicative, however it is considered that at least two connection points should be made (one to the north and one to the north-west) and this will form a requirement of the layout Reserved Matter. In addition there will be proposed links to the south, as well as the potential linkage to the north-east.

In terms of public transport, the site is 0.6 miles (13 minutes walk) from Newcourt railway station and 0.4 miles (8 minutes) from bus stops on Newcourt Way.

Overall, the access proposals set out in this application are considered to be acceptable and would not give rise to significant highway impacts. It is noted that they are partially reliant on a TRO for another scheme, however this is currently being dealt with by the Local Highway Authority.

3. Parking

A suitable level of vehicle parking, including electric vehicle charging will be required in line with the Sustainable Transport SPD guidance levels. Spaces will need to meet minimum recommended levels and be designed to be safe, accessible and not dominate the streetscene.

In order to promote sustainable transport measures there will be a requirement for secure cycle storage for each dwelling in line with SPD levels. In addition, due to the scale of development there will be a requirement for car-club parking and cycle-hire spaces. These aspects should be conditioned.

It is noted from the Local Highway Authority that a S106 contribution of £15,000 has been requested. This is to deal with potential parking issues once the development has been completed, such as on match days for Exeter Chiefs games.

4. Affordable Housing

Policy CP7 of the Core Strategy and the Affordable Housing SPD (2014) requires 35% of the housing to be Affordable Housing (AH) with 70% provided as social rent and the remainder as intermediate forms of affordable housing. The policy position has been updated in line with national policy through the publication of the Council's First Homes Planning Policy Statement (June 2021), which requires at least 25% of the affordable housing to be provided as First Homes. If the maximum number of dwellings applied for was approved through a reserved matters application, this would deliver 122 affordable dwellings on the site, comprising 85 social rent, 31 First Homes and 6 other intermediate affordable units. A financial contribution will also be secured towards the provision of affordable housing off site in the city to cover 0.5 of a dwelling, in accordance with the Affordable Housing SPD. These obligations will be secured in a s106 legal agreement.

5. Noise from A379

The submitted Environmental Noise Assessment (September 2020) states that the noise along the western boundary from the A379 represents a medium risk of adverse effects, and should be minimised and mitigated against to protect the amenity of the proposed dwellings on the site. It recommends the construction of a bund or screen along the western boundary accordingly and maximising the separation distance from the road in the design of the layout of the development, as

well as optimising the orientation of the houses to ensure reasonable internal sound levels will be achieved.

It's considered that a landscaped bund will be more attractive and sustainable than a hard screen along the A379 and a condition requiring this as part of the landscaping reserved matter should be added accordingly. It should be designed to allow the pedestrian/cycle links discussed under '2' above to pass through it. Environmental Health has also recommend a condition for an updated Acoustic Design Statement. Subject to these conditions, it's considered that the proposal is acceptable in regard to this issue.

6. Impact on Trees

The site includes a number of individual trees, tree groups and hedgerows, as detailed in the submitted Tree Survey (ref. 05520). The layout (to be determined at reserved matters stage) will be expected to retain as many of these natural features as possible, with particular emphasis on retaining the trees identified as 'key trees' in the survey. A condition should be added to ensure that the existing trees to be retained will be protected during the construction phase.

NB. The layout will also be expected to include street trees, in accordance with paragraph 131 of the NPPF (2021).

7. Impact on Biodiversity

The site is not a designated wildlife site, however it is partially grassland and has hedges and other biodiversity features within it. The submitted Ecological Impact Assessment (February 2022) reports that an extended Phase 1 Habitat Survey of the site was carried out on 17 April 2020. Given the age of the survey and phased nature of the proposed development, updated surveys will be necessary prior to the commencement of each phase of the development to ensure that the impacts and any relevant compensation/mitigation are up-to-date. This requirement should be conditioned.

Protected species surveys were carried out for bats and reptiles. 6 bat species were recorded using the site, primarily associated with the south boundary and Old Rydon Lane. Some of the buildings on site had evidence of bat roosts. There is also a population of slow worm. The site supports other species, including nesting birds, common toad and possibly hedgehogs. The Ecological Impact Assessment includes recommendations for compensation and mitigation measures accordingly. Conditions should be added to ensure that no protected species will be harmed by construction activities and that the biodiversity of the site will be enhanced overall.

Comments were received from the RSPB regarding the choice of bird box/bricks proposed, with a recommendation for a different type. This matter will form part of the Reserved Matters and is acknowledged and has been passed on to the applicant for consideration.

With reference to The Conservation of Habitats and Species Regulations 2017, 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 the potential impact on the Exe Estuary Special Protection Area (SPA) and East Devon Pebblebed Heaths Special Protection Area (SPA) and Special Area of Conservation (SAC). This AA has been carried out and concludes that the development could have an impact in combination with other residential developments primarily associated with recreational activity of future occupants. However, 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 and s106 contributions with respect to the affordable housing.

8. Contaminated Land

Policy EN2 of the Local Plan requires assessment of contamination risks to ensure the proposal is safe for the proposed use. A Phase 1 and Phase 2 investigation report were submitted with this proposal and assessed by the Environmental Health team. No in-principle objection was received, subject to the recommendations of the report being followed.

The Phase 2 report concluded that there are potential risks within the site which will require mitigation. As such, a pre-commencement condition will be required for details of the proposed mitigation measures for these risks and for them to be carried out prior to any other work commencing on site.

It was also noted that there are buildings with asbestos on site that must be dealt with appropriately. The pre-commencement condition will include requirements for an asbestos survey and measures to safely remove this from site.

Part of the site is still active and investigation across certain areas was restricted. The report recommended further investigation in these areas, including the septic tank area, to confirm the recommendations for these zones.

In addition the submitted reports noted that there is an area in which piled foundations may be required due to the ground conditions. A further survey was recommended and this will be required via the condition.

Subject to the conditions above, the proposal is considered acceptable in regard to contamination and the proposed use for housing.

9. Archaeology

The submitted Heritage Assessment states that there is moderate to high potential for significant and previously unrecorded archaeological deposits from the prehistoric and Romano-British time periods to survive within the site. The standard condition requiring a written scheme of archaeological work and its implementation should therefore be added should the application be approved. There are no other heritage constraints to developing the site.

NB. Letters of representation raised concerns over unexploded ordnance in the site. Records do not show any WW2 bombs falling in the immediate surrounding area and as such a full survey is not considered necessary at this time. Details of handling any found during construction would be expected to form part of the Construction Environment Management Plan.

10. Impact on Air Quality

The site is not within an Air Quality Management Area (AQMA), however there is one located to the south-west at Countess Wear roundabout and along Topsham Road towards the City Centre. An Air Quality Assessment was submitted during the application process which concluded that the impacts were not significant and would not cause a worsening of air quality within the AQMA and occupants of the development would not be exposed to pollution levels above government objectives. In line with policy and guidance requirements sustainable transport measures will be required, including car/cycle club, cycle parking and electric vehicle charging stations and this offers a level of mitigation alongside a travel plan to further reduce emissions from the site as mitigation.

The Environmental Health team assessed the report and agreed with the conclusions that there were no significant air quality impacts generated by the scheme.

In relation to construction related air quality impacts it is considered that appropriate measures can be set out in a Construction Environment Management Plan to mitigate for this.

Overall, the proposal is considered to accord with policies EN3 and CP11.

11. Flood Risk and Surface Water Management

Policy EN4 does not permit development at risk of flooding, while policy CP12 of the Core Strategy requires all developments to mitigate against flood risk utilising Sustainable Urban Drainage Systems (SUDS) where feasible.

The site is within Flood Zone 1 and is at low risk of flooding and therefore accords with policy EN4.

It is proposed to manage surface water through multiple swales and basins with additional aspects of permeable paving. There will be a level of restricted outfall into a nearby public surface water sewer. Due to the nature of this Outline application the full details of this will form part of the Reserved Matters once the layout has been finalised.

The Lead Local Flood Authority (Devon County Council) raised no in-principle objections to the development, subject to full details of the scheme, including attenuation levels and exceedance flow routes with climate change allowances being provided through a pre-commencement condition. The drainage hierarchy will be required to be followed and it was recommended to contact South West Water to confirm if surface water would be allowed connections to their surface water system.

In relation to the swales and basins, concerns were raised by Exeter Airport regarding increased bird habitats through slow drainage and potential impacts through bird strikes on aviation. Other concerns were raised regarding safety surrounding these basins. Full details of the design and any safety measures will be dealt with at Reserved Matters.

There are no significant issues with flood risk or drainage in relation to this Outline consent, with full details to be assessed at Reserved Matters.

12. Sustainable Construction and Energy Conservation

Policy CP15 requires development proposals to demonstrate how sustainable design and construction methods will be incorporated. Limited information has been provided in this regard, which is due to the application being in outline with all matters reserved except access, however the submitted Design and Access Statement states that the (illustrative) layout uses the following tools to create the basis for a sustainable/climate resilient development:

- Predominantly east-west orientated streets – providing south facing plots and potential for photovoltaic panels
- Good sized plots to give potential for the inclusion of a fabric first approach, air source heat pumps, etc.
- Retained and new tree planting for shading
- Areas for habitat creation and water management

- Inclusion of electric car and bike charging points
- Well integrated cycle routes to encourage more sustainable modes of transport

Policy CP15 requires residential development to be zero carbon from 2016. However, national Planning Practice Guidance states that local planning authorities can set energy performance standards for new housing that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes. Therefore, this is the standard currently sought in respect of energy and CO2 emissions for residential development within the city. The standard condition should be added accordingly.

Policy CP13 requires new development with a floorspace of at least 1,000 sqm, or comprising 10 or more dwellings, to connect to any existing, or proposed, Decentralised Energy Network (DEN) in the locality. The site is not located within an existing DEN or within one of the proposed DEN areas, as shown on the unadopted Development Delivery DPD Proposals Map.

Policy W4 of the Devon Waste Plan requires planning applications for major development to include a Waste Audit Statement. The Waste Planning Authority has recommended this is secured by condition.

13. CIL/S106

The proposal is for a maximum of 350 dwellings and this may be subject to change based on the final site layout. As such, all S106 calculations are set out as a maximum level and the per-dwelling calculations, as the required amount will vary depending on the level of housing and may be subject to change at Reserved Matters.

The development is CIL liable. The rate per sqm for residential development in 2023 is £126.79. This is charged on new floorspace (net of any existing buildings in lawful use during the requisite period), but does not include social housing provided a claim for social housing relief is made. The final payable levels will depend on the number of dwellings constructed, however it is noted that CIL will be liable and the applicant will be advised of this.

The following planning obligations must be secured in a s106 legal agreement to make the development acceptable in planning terms:

- 35% affordable housing (at least 25% First Homes, 70% social rented and the remaining balance as intermediate)
- £607 per dwelling (up to £212,450) for additional healthcare services provided by Royal Devon University Healthcare NHS Foundation Trust

- £719.79 per dwelling (up to £251,927) for Special Education provision by Devon County Council Children's Services
- £584 per dwelling (up to £204,288) to provide additional capacity at local healthcare facilities in accordance with the comments by NHS Devon CCG
- £15,000 to Devon County Council for parking restrictions
- £1,359.51 per affordable dwelling to mitigate the impact of the development on the Exe Estuary SPA and the East Devon Pebblebed Heaths SAC and SPA
- Unencumbered vehicle and pedestrian/cycle link to the north-east site boundary.
- Pedestrian/cycle links to existing pedestrian/cycle path running adjacent to the northwest site boundary
- Public open space and play provision in accordance with the comments from the Public & Green Spaces Team

All S106 contributions should be index linked from the date of the decision.

14. Development Plan, Material Considerations and Presumption in Favour of Sustainable Development

The proposal is considered to accord with the Development Plan given that the site falls within the Newcourt strategic allocation, and there are no material considerations to indicate that the application should be refused, taking into account the advice of consultees and the imposition of conditions.

At present the Council cannot demonstrate a 5 year housing land supply, therefore the tilted balance as set out in paragraph 11d) of the NPPF (2021) applies. This means that the application should be granted permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. In this case, there are considered to be no adverse impacts, subject to the imposition of conditions, which would outweigh the benefits of the proposal.

17.0 Conclusion

The proposed development is considered to be acceptable. The site falls within the Newcourt strategic allocation (Policy CP19), which is proposed for around 3,500 dwellings (which this development will contribute towards), employment land and associated infrastructure. In effect, the principle of allowing housing on this site has already been established through the adoption of this policy. The proposal is also consistent with the Newcourt Masterplan (2010), which indicates residential development on this part of the strategic allocation area. Furthermore, whilst it carries very limited weight at present, the site is allocated for housing (334 dwellings) in the new Exeter Plan (unadopted).

The application has been submitted in outline with all matters reserved except access. The access proposals are considered to be acceptable, subject to securing additional links in a s106 legal agreement, to enhance the connectivity of the scheme to its surroundings. The s106 agreement must also secure 35% affordable housing and various other infrastructure, as set out above in this report.

Whilst an Illustrative Layout plan has been submitted, it is for information purposes only, and the final layout of the scheme, together with all other detailed design considerations, including open space and landscaping, will be subject to future reserved matters applications. These detailed proposals will be subject to Design Review through the Exeter Design Quality Partnership (EDQP). The reserved matters application(s) will be publicised, so that the local community can review the detailed design of the scheme and comment if they wish.

18.0 Recommendation

A) DELEGATE TO DIRECTOR OF CITY DEVELOPMENT TO GRANT PERMISSION SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO SECURE THE FOLLOWING:

- 35% affordable housing (at least 25% First Homes, 70% social rented and the remaining balance as intermediate)
- £607 per dwelling (up to £212,450) for additional healthcare services provided by Royal Devon University Healthcare NHS Foundation Trust
- £719.79 per dwelling (up to £251,927) for Special Education provision by Devon County Council Children's Services
- £584 per dwelling (up to £204,288) to provide additional capacity at local healthcare facilities in accordance with the comments by NHS Devon CCG
- £15,000 to Devon County Council for parking restrictions
- £1,359.51 per affordable dwelling to mitigate the impact of the development on the Exe Estuary SPA and the East Devon Pebblebed Heaths SAC and SPA
- Unencumbered vehicle and pedestrian/cycle link to the north-east site boundary.
- Pedestrian/cycle links to existing pedestrian/cycle path running adjacent to the northwest site boundary
- Public open space and play provision in accordance with the comments from the Public & Green Spaces Team

All S106 contributions should be index linked from the date of the decision.

And the following conditions:

22/0537/OUT – Land at St Bridget Nursery, Old Rydon Lane

Outline planning application for the demolition of existing buildings and structures and the phased development of up to 350 dwellings and associated infrastructure and open space. (All matters reserved except access)

Draft Conditions:

1. Reserved Matters

Details of the layout, scale, appearance and landscaping (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: To safeguard the rights of the local planning authority in respect of the reserved matters. This information is required before development commences to ensure that the development is properly planned with appropriate regard to the reserved matters.

2. Standard Time Limits – Outline Planning Permission

Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission and the development hereby permitted must be begun not later than two years from the final approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 rule 2 of the Town and Country Planning Act 1990 as amended.

3. Approved Plans

The development hereby permitted shall be carried out on the land outlined in red on drawing number 200909 L 01 01 ('Location Plan') and shall not be carried out otherwise than in accordance with the plans listed below, unless modified by the other conditions of this consent:

- A379 / Old Rydon Lane Junction Layout And Primary Street Site Access (47450/5505/SK06 Rev A)
- Old Rydon Lane – Eastern Site Access With Downgraded Old Rydon Lane And Change of Priority With Primary Street (47450/5505/SK02 Rev B)

Reason: To ensure compliance with the approved drawings.

4. Replacement Tree Planting

The application(s) for approval of landscaping details shall include replacement tree planting on the site to compensate for the loss of trees for access.

Reason: In the interests of biodiversity, visual amenity and screening taking into account the submitted Tree Constraint Plans 05520 TCP 24.11.20 Sheets 1 to 3 and Ecological Impact Assessment.

5. Landscaped Earth Bund

The application(s) for approval of landscaping details shall include a landscaped earth bund to mitigate the impact of noise generated by traffic on the A379 west of the site in accordance with the recommendations of the submitted Environmental Noise Assessment (AASW, September 2020).

Reason: In the interests of residential amenity and to provide an attractive, green edge to the site for users of the A379.

6. Lighting Design Strategy – Dark Areas

The application(s) for approval of the reserved matters shall include a Lighting Design Strategy to maintain “dark areas” on the site incorporating:

- A map showing the “dark areas” that will be maintained on site.
- An evidence based assessment of light levels of the development, including buildings, vehicle headlamps and street lighting, comprising a written report and accompanying drawings of the site with the levels of predicted illuminance and light spill in and adjacent to the “dark areas” shown by appropriate isolines.
- Evidence to demonstrate that a light spill no higher than 0.5 lux will be achieved within the “dark areas”.
- Where c) is achieved either fully or in part through landscaping, details of the landscaping and its management to ensure it will maintain the “dark areas” in perpetuity. These details shall be incorporated into the details of landscaping and Landscape and Ecological Management Plan (LEMP) where applicable.

The Lighting Design Strategy shall be implemented and maintained as approved.

Reason: To prevent disturbance to bats taking into account the submitted Ecological Impact Assessment.

7. Surface Water Drainage

Prior to or as part of the Reserved Matters, the following information shall be submitted to and approved in writing by the Local Planning Authority:

- Soakaway test results in accordance with BRE 365 and groundwater monitoring results in line with our DCC groundwater monitoring policy.

- A detailed drainage design based upon the approved Sustainable Drainage Strategy and Level 2 Flood Risk Assessment 515-FRA2 V2 (dated 31 January 2022) and the results of the information submitted in relation to (a) above
- Detailed proposals for the management of surface water and silt run-off from the site during construction of the development hereby permitted.
- Proposals for the adoption and maintenance of the permanent surface water drainage system.
- A plan indicating how exceedance flows will be safely managed at the site.
- Evidence there is agreement in principle from South West Water for the new connection into their system.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (f) above.

Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.

Pre-commencement Details

8. Road Traffic Order

Prior to commencement of development hereby approved a Traffic Regulation Order shall be submitted and approved by the relevant Highway Authority and a copy submitted to and approved in writing by Local Planning Authority.

Reason: To ensure safe and acceptable access routes can be secured in accordance with the approved plans.

9. Phasing Plan

Prior to the commencement of the development hereby permitted a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan.

Reason: To ensure all parts of the development, including infrastructure, are delivered in an appropriate order. A phasing plan is required before development begins to confirm the order the development will be carried out.

10. Updated Ecological Surveys

No development shall take place on each phase of development or use of any part of the wider site in association with the construction, until an Ecology Report for the

relevant phase or area has been submitted to and approved in writing by the Local Planning Authority. The reports shall include updated ecological surveys for the phases and recommendations for mitigation to address the ecological constraints.

Reason: To make sure that the mitigation is still appropriate given the development will be delivered in phases over a long period of time. This is in accordance with current government guidance on protected species and development. These details are required pre-commencement as specified to ensure that appropriate mitigation measures are implemented during the construction phases based on the current ecological condition of the site.

11. Construction and Environmental Management Plan (CEMP)

No development (including demolition and ground works) or vegetation clearance works shall take place in any approved phase of the development until a Construction and Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMPs shall be prepared in accordance with clause 10 of BS 42020:2013 ('Biodiversity – Code of practice for planning and development'), or any superseding British Standard, and include the following:

- Risk assessment of potentially damaging construction activities.
- Identification of “biodiversity protection zones”.
- Mitigation Method Statements, in accordance with the recommendations of the approved Ecology Reports under condition 9.
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- The location and timing of sensitive works to avoid harm to biodiversity features. This includes the use of protective fences, exclusion barriers and warning signs.
- The times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP, and the actions that will be undertaken.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMPs shall be adhered to and implemented throughout the construction period of the development strictly in accordance with the approved details.

Reason: To protect the biodiversity of the site including protected species, taking into account the recommendations of the submitted Ecological Impact Assessment. A CEMP is required before any development begins to ensure that appropriate mitigation measures are identified and carried out during the construction phase.

12. Archaeology

No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

13. Contamination

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.

Reason: To protect the health and amenity of residents and visitors. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.

14. Arboricultural Method Statement and Tree Protection Plan

No development (including ground works) or vegetation clearance works shall take place until an Arboricultural Method Statement and Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. This information shall be prepared in accordance with BS 5837:2012 ('Trees in relation to design, demolition and construction'), or any superseding British Standard, and include details of tree/hedgerow protection fencing, which must be erected prior to the commencement of the development and retained until the completion of the development. No vehicles, plant or materials shall be driven or placed within the areas enclosed by the fences. The approved Arboricultural Method Statement and Tree Protection Plan shall be adhered to throughout the construction of the development.

Reason: To protect the trees and hedgerows to be retained in the interests of the amenities of the area and biodiversity, in accordance with saved Policy LS4 of the Exeter Local Plan First Review and the Trees in Relation to Development SPD (September 2009). These details are required pre-commencement as specified to

ensure that trees and hedgerows to be retained are not damaged by building operations or vegetation removal, including their biodiversity interests.

15. Construction Method Statement

Prior to the commencement of development in any approved phase a Construction Method Statement for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Statements shall provide for:

- Timetable of Works
- Construction vehicle numbers, size, type and routing.
- Access arrangements to the site, including details of any new access being created.
- Traffic management requirements.
- Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas).
- The erection and maintenance of securing hoarding, if appropriate.
- Siting and details of wheel washing facilities.
- Cleaning of site entrances, site tracks and the adjacent public highway.
- Provision of sufficient on-site parking prior to commencement of construction activities and methods to promote car sharing to limit staff vehicles parking off-site.
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- Measures to control the emission of dust and dirt during construction.
- No burning on site during construction or site preparation works.
- Measures to minimise noise nuisance to neighbours from plant and machinery.
- Photographic evidence of the condition of adjacent public highway prior to commencement of any work;
- Hours of construction working hours and deliveries limited to 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays unless alternative times have been agreed in writing with the Local Planning Authority.

The approved Statements shall be strictly adhered to throughout the construction period of the phase of the development to which they relate.

Reason: To ensure that the construction works are carried out in an appropriate manner to minimise the impact on the amenity of neighbouring uses and in the interests of the safety and convenience of highway users. These details are required pre-commencement as specified to ensure that building operations are carried out in an appropriate manner.

16. Waste Audit Statement

Prior to the commencement of development in any approved phase, a Waste Audit Statement for that phase shall be submitted to and approved in writing by the Local Planning Authority. This statements shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statements.

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that building operations are carried out in a sustainable manner.

17. Updated Acoustic Design Statement

Prior to commencement of each phase of the development the applicant shall submit for approval in writing by the LPA an updated Acoustic Design Statement, including assessment of overheating conditions. The Acoustic Design Statement should demonstrate good acoustic design, including achieving both sustainable acoustic comfort and sustainable thermal comfort. Any mitigation measures required shall be implemented in full prior to occupation of the development, and maintained thereafter.

Reason: In the interest of residential amenity and in accordance with recommendations set out in the submitted Environmental Noise Assessment. These details are required to ensure there is suitable residential amenity protection from noise impacts.

During Construction

18. Unexpected Contamination

If contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended 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.

Pre-specific Works

19. Bird Nesting Season

No tree works or felling, cutting or removal of hedgerows or other vegetation clearance works shall be carried out on the site during the bird nesting season from March to September, inclusive. If this period cannot be avoided, these works shall not be carried out unless they are overseen by a suitably qualified ecologist and the reasons why have previously been submitted to and approved in writing by the Local Planning Authority, including the date of the intended works and the name and contact details of the ecologist. If nesting birds are found or suspected during the works, the works shall cease until the ecologist is satisfied that the nest sites have become inactive.

Reason: To protect nesting birds in accordance with saved Policy LS4 of the Exeter Local Plan First Review and paragraphs 179 and 180 of the NPPF (2021).

20. Energy Performance Standard

Prior to the construction of the foundations of any dwelling hereby permitted, the Design SAP calculation(s) of the dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate that the dwelling(s) will achieve a 19% reduction in CO2 emissions in relation to the level required to meet the 2013 Building Regulations, or if the dwellings are constructed to the 2022 Building Regulations that a reduction in CO2 emissions at the levels (or higher) set out in Part L of the 2022 Building Regulations will be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented. No dwelling shall be occupied until the As-Built SAP calculation of the dwelling has been submitted to and approved in writing by the Local Planning Authority to confirm that the CO2 reduction has been achieved.

Reason: To ensure the dwelling(s) will achieve the energy performance standard required by Policy CP15 of the Core Strategy, taking into account the Written Ministerial Statement on Plan Making (25 March 2015) requiring local planning authorities not to exceed the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes, in the interests of reducing greenhouse gas emissions and delivering sustainable development. (Advice: Please see Paragraph: 012 ID: 6-012-20190315 of the National Planning Practice Guidance on Climate Change for background information.)

21. Materials

Prior to the construction of any dwelling hereby permitted (except the foundations), samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials of the dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall be constructed in accordance with the approved materials.

Reason: To ensure good quality design and local distinctiveness, in accordance with Policy CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review and paragraph 130 of the NPPF (2021).

22. Nesting and Roosting Boxes

Prior to the construction of any dwelling hereby permitted (except the foundations), details of the provision for nesting birds and roosting bats in the built fabric of the dwellings shall be submitted to and approved in writing by the Local Planning Authority (with a minimum overall average ratio of 1 built-in nest/roost site per dwelling – provision can be more concentrated on dwellings in more suitable locations). The approved details shall be fully implemented as part of the development and retained thereafter.

Reason: To enhance biodiversity on the site in accordance with paragraph 9.28 and Appendix 2 of the Residential Design Guide SPD, and paragraph 180 of the NPPF (2021).

23. External Lighting

No external lighting shall be installed on the site unless details of the lighting have previously been submitted to and approved in writing by the Local Planning Authority (including location, type and specification). The details shall demonstrate how the lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation if necessary). The lighting shall be installed in accordance with the approved details.

Reason: To ensure lighting is well designed to protect the amenities of the area and wildlife.

Pre-occupation

24. Charging Points

Prior to occupation of any dwelling hereby approved a rapid charge Electric Vehicle charging point shall be provided for the dwelling at a level of 1 space per dwelling with off-street parking and 1 per 10 spaces for unallocated parking. The charging points shall be maintained at all times thereafter.

Reason: To mitigate environmental impacts from traffic emissions in accordance with Policy CP11 of the Core Strategy, taking into account good practice guidance in

Land-Use Planning & Development Control: Planning for Air Quality (IAQM, January 2017) and paragraph 112e) of the NPPF (2021).

25. Site Access

Prior to the first occupation of the development hereby permitted a phasing plan for delivery of site access shall be submitted and approved by the Local Planning Authority. The approved access and egress points set out in the approved phasing plan shall be delivered prior to first occupation of any dwelling, with the remaining points delivered in accordance with the approved phasing plan details. The site access and visibility splays shall be constructed, laid out and maintained for that purpose in general accordance with approved drawings 47450/5505/SK06A, 47450/5505/SK02B and 47450/5505/SK01B where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 43 metres in both directions.

Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water onto the highway.

26. Cycle Parking

No dwelling shall be occupied until cycle parking has been provided for the dwelling in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The parking shall accord with the minimum parking standards for residents in Table 2 of the Sustainable Transport SPD and be designed in accordance with the guidance contained therein. The cycle parking shall be maintained at all times thereafter.

Reason: To encourage cycling as a sustainable mode of transport in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport Supplementary Planning Document (March 2013).

27. Car Parking

No dwelling shall be occupied until the car parking for the dwelling and access thereto has been provided and made available for use. The car parking provided shall be in accordance with the details set out in the Residential Design Guide SPD (including number of spaces, access and size) and shall be maintained at all times thereafter and kept permanently available for the purpose of car parking.

Reason: To ensure that adequate car parking is provided and maintained for the dwellings, in the interests of highway safety and to protect the amenities of the neighbourhood.

28. Bin Storage Areas

No dwelling shall be occupied until refuse and recycling stores have been provided, in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The refuse/recycling stores shall remain in situ for their intended use at all times thereafter.

Reason: To accord with the Residential Design SPD (Chapter 8) and to ensure sufficient space is provided for the requisite number of receptacles.

29. Travel Plan

No part of the development shall be occupied until a Travel Plan (including recommendations and arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. Thereafter the recommendations of the Travel Plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.

Reason: To encourage travel by sustainable means, in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Supplementary Planning Document (March 2013).

30. Biodiversity Enhancement

Prior to the construction of any dwelling hereby permitted (except the foundations), a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Local Planning Authority, taking into account the recommendations of the submitted Ecological Impact Assessment (SWE209 Version 2). The biodiversity enhancement measures in the approved BEP shall be fully implemented as part of the development and retained at all times thereafter.

Reason: To enhance biodiversity on the site in accordance with paragraph 9.28 and Appendix 2 of the Residential Design Guide SPD, and paragraph 180 of the NPPF (2021)

31. Delivery of highways

Prior to first occupation of any dwelling hereby approved a phasing plan for highway shall be submitted in writing to, and approved by, the Local Planning Authority. This phasing plan shall set out delivery of all roads, footways, footpaths, drainage, statutory undertakers' mains and apparatus, junction, access, retaining wall and visibility splays. The works shall be completed in accordance with the approved timeframe unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the access arrangements are completed within a reasonable time in the interests of safety and the amenity of residents

32. Club Car and Club-Bike

No part of the development hereby approved shall be brought into its intended use until details of club car parking and a club-bike stations, including delivery timescales, have been submitted to, and approved in writing by, the Local Planning Authority. The approved club car parking and club-bike stations shall be delivered in accordance with the approved timetable and retained at all times thereafter.

Reason: To provide adequate facilities for sustainable transport and ECC Core Strategy CP9.

B) REFUSE PERMISSION FOR THE REASON SET OUT BELOW IF THE LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IS NOT COMPLETED BY 16 JULY 2023 OR SUCH EXTENDED TIME AS AGREED BY THE CITY DEVELOPMENT MANAGER

In the absence of a Section 106 legal agreement in terms that are satisfactory to the Local Planning Authority being completed within an appropriate timescale, and which makes provision for the following matters –

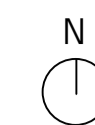
- 35% affordable housing (at least 25% First Homes, 70% social rented and the remaining balance as intermediate)
- £607 per dwelling (up to £212,450) for additional healthcare services provided by Royal Devon University Healthcare NHS Foundation Trust
- £719.79 per dwelling (up to £251,927) for Special Education provision by Devon County Council Children's Services
- £584 per dwelling (up to £204,288) to provide additional capacity at local healthcare facilities in accordance with the comments by NHS Devon CCG
- £15,000 to Devon County Council for parking restrictions
- £1,359.51 per affordable dwelling to mitigate the impact of the development on the Exe Estuary SPA and the East Devon Pebblebed Heaths SAC and SPA
- Unencumbered vehicle and pedestrian/cycle link to the north-east site boundary.
- Pedestrian/cycle links to existing pedestrian/cycle path running adjacent to the northwest site boundary
- Public open space and play provision in accordance with the comments from the Public & Green Spaces Team

the proposal is contrary to Exeter Core Strategy Policies CP7, CP9, CP16, CP17, CP18 and CP19, Exeter Local Plan First Review 1995-2011 saved policies L4 and DG5, Exeter City Council Affordable Housing Supplementary Planning

Document 2014, Exeter City Council Sustainable Transport Supplementary Planning Document 2013 and Exeter City Council Public Open Space Supplementary Planning Document 2005.

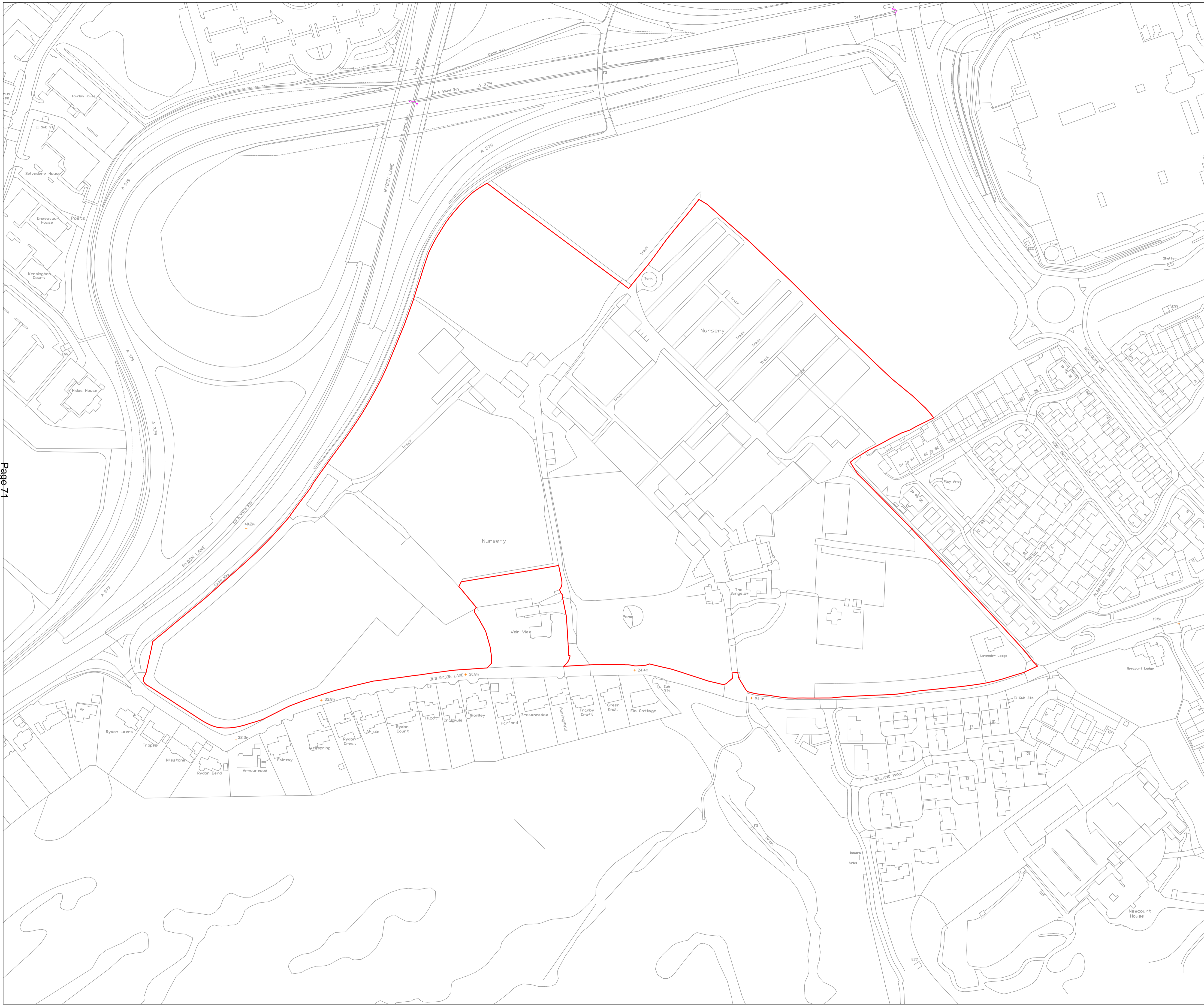
This page is intentionally left blank

NOTES



0m 50m 100m

Application boundary



Page 71

REV	NOTES	DATE
	St Bridget Nursery, Exeter Location Plan	DH / DC
200909 L 01 01	1:1250 @ A1	January 2022

CliftonEmerydesign

Hems House 84 Longbrook Street Exeter, Devon, EX4 6AP
T: 01392 368866 W: www.cliftonemerydesign.co.uk M: mail@cliftonemerydesign.co.uk

DRAWING-STATUS Planning

CONTRACTORS MUST CHECK ALL DIMENSIONS ON SITE. ONLY FIGURED DIMENSIONS ARE TO BE WORKED FROM. THIS DRAWING IS COPYRIGHT © Clifton Emery Design 2022. All rights reserved.

This page is intentionally left blank

Planning Committee Report – 21/1014/FUL

1.0 Application Information

Number:	21/1014/FUL
Applicant:	Mr S. Williams
Proposal:	Demolition of garage workshop and construction of four 3-storey (plus basement) purpose-built student accommodation units, numbering 26 bedrooms
Site Address:	68-72 Howell Road, Exeter, Devon
Registration Date:	23 June 2021
Link to Application:	21/1014/FUL Demolition of garage workshop (Maximum Motors) and construction of four 3-storey (plus basement) purpose-built student accommodation units, numbering 26 bedrooms in total (revised plans). 68-72 Howell Road Exeter Devon EX4 4LZ
Ward Member(s):	Cllr K Mitchell, Cllr M Mitchell, Cllr M Pearce

Reason Application is being reported to the Planning Committee: the application has been subject to a significant number of objections.

2.0 Summary of recommendation

GRANT planning permission subject to conditions

3.0 Reason for the recommendation

Overall, the purpose-built student accommodation would respect and contribute positively towards the area's character and appearance. It would not result in unacceptable harm to the amenity of neighbouring residents – the proposal would ensure there is no harm to neighbouring properties through loss of light, being overbearing or blocking outlook. The proposal makes appropriate provisions for refuse storage and cycle parking. The site is in a sustainable location within walking distance of the University and the city centre; therefore, no car parking is provided or necessary.

In summary, the proposal would be acceptable for the following reasons:

- Demolition of a building which is classified as being one which does not make a positive contribution to the character or appearance of the Longbrook Conservation Area;
- The opportunity to provide a building that would enhance the character and appearance of the conservation area;

- The provision of purpose-built student accommodation in an attractive building which would blend in with this residential area;
- There would be no demonstrable harm to neighbouring residents;
- There would be sufficient space for bicycle parking and bin stores;
- Provision of student housing within walking distance of the University;
- An energy-efficient building providing a sustainable form of development.

Overall, it is considered that the proposal is compliant with Exeter Local Development Framework Core Strategy Policies CP5 - Student Accommodation, CP10 - Meeting Community Needs, CP15 - Sustainable Construction and CP17 - Design and Local Distinctiveness and to Exeter Local Plan First Review 1995-2011 policies AP1 - Design and Location of Development, AP2 - Sequential Approach, H1 - Search Sequence, H2 - Location Priorities, H5 - Diversity of Housing, T1 - Hierarchy of Modes, T2 - Accessibility Criteria, T3 - Encouraging Use of Sustainable Modes, T10 - Car Parking Standards, C1 – Development in Conservation Areas, EN2 - Contaminated Land, EN5 – Noise, DG1 - Objectives of Urban Design, DG2 - Energy Conservation and DG7 - Crime Prevention and Safety and to the NPPF.

4.0 Table of key planning issues

Issue	Conclusion
Principle of Development	<p>Acceptable</p> <p>This report has been prepared in connection with an application for full planning permission for demolishing the existing building on the site and the erection of a replacement building for student accommodation purposes.</p> <p>Paragraph 59 of the National Planning Policy Framework (2019) (NPPF) sets out the Government’s objective of significantly boosting the supply of homes and that it is important that a sufficient amount and variety of land can come forward where it is needed. This paragraph also states that “the needs of groups with specific housing requirements are addressed, and that land with</p>

	permission is developed without unnecessary delay”.
Impact on Heritage Assets	<p>Acceptable</p> <p>There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision-makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area.</p> <p>The conclusions from the Heritage specialist are that “the proposals would significantly enhance this part of the Conservation Area by removing an unattractive utilitarian structure and forecourt parking and strengthening the street frontage with a sympathetically designed response to the architectural character of the Conservation Area. It replicates the scale, architectural form and materials of the Victorian terraces adjacent, thereby preserving the architectural consistency of the streetscape, and reinforcing the elements which contribute positively to its character and appearance”.</p>
Impact on Amenity	<p>Acceptable</p> <p>The neighbouring residents who would be most affected by the development on this site are those immediately adjoining the site, at nos. 69 and 73 Howell Road. The proposed design has ensured it is at a similar height to the adjoining dwellings and is set a significant distance from side windows to ensure the building would not appear overbearing or block out sunlight/daylight.</p>
Parking/Accessibility	Acceptable

	<p>The proposal includes one accessible flat which could be lived in by someone in a wheelchair.</p> <p>Adequate space has been provided for bicycles to be parked safely and securely on the site. Further, sufficient spaces have been provided to store bins at the side of the site.</p> <p>The current double yellow lines in front of the site can be removed/altered to allow for additional resident permit parking</p>
Contamination	<p>Acceptable</p> <p>The application is supported with a phase one contamination report. There is evidence of historic fuel tanks on site which will need to be removed and any contaminants dealt with. As the site is covered with buildings and hard standing, a full ground investigation and suitable remediation will need to be conditioned.</p>
Energy	<p>Acceptable</p> <p>A range of renewable and low-energy technologies have been reviewed as part of this statement. It has been proposed that installing an adequately sized PV and solar thermal hot water system will be the most suitable way to meet Exeter City Council's Policy for reducing the building's carbon emissions.</p> <p>Along with solar technologies, the development will adopt a fabric-first approach to maximise the building envelope's thermal performance and minimise the air permeability values.</p>
Scale, design, impact on character and appearance	<p>Acceptable</p>

	The housing in this area comprises rows of two and three-storey terraced housing with few gaps between buildings. This site, with a low-lying single-storey building, is an anomaly within the street scene. The proposal would infill this gap with a block that appears as terraced housing with adequate spacing between the neighbouring properties.
Impact on Ecology	Acceptable The application is supported by an Ecology Report from EPS Ecology, which concluded that no features of ecological interest were found at the site.

5.0 Description of site

The site comprises a wide plot with a large, corrugated garage building over 6m high, formerly used for vehicle repairs and MOTs, situated on the south side of Howell Road. The area is dominated by terraced housing, predominantly inhabited by students on this part of Howell Road, Danes Road and Hoopern Street.

The site is in the Longbrook Conservation Area.

The site is identified as a building that does not positively contribute to the area's character.

There are no protected trees on or adjacent to the site.

The area is generally residential, although Exeter Prison is close to the west. The Higher Barracks Guardhouse to the north is locally listed. The site is within Flood Zone 1.

Immediately adjacent to the site is no.73 Howell Road, a modern three-storey flat-roofed building subdivided into a block of flats. To the east of the site is no.67 Howell Road, a two-storey residential building that was originally a public house but was converted into a dwellinghouse in 2017.

6.0 Description of development

The original scheme sought to develop 29 accommodation units with central

living/kitchen accommodation on the lower ground floor and set back from the roadside to provide front gardens. This was amended to bring the building forward and in line with the existing residential frontage. The current scheme has divided the block horizontally rather than vertically and provided for a large landscaped area at the rear.

The proposal is to demolish the garage and build four flats of purpose-built student accommodation comprising two seven-bed units and two six-bed units to give 26 bed spaces. The design is Edwardian in style to accord with the terrace further along Howell Road. The layout comprises a communal kitchen/dining and lounge room on each floor. The lower ground floor unit has significant garden space. Bicycle and bin stores are provided at the lower ground floor level to the side of the building.

Visually the building will present as a terrace. The bedrooms and communal space comply with current guidance. There is an accessible bedroom on the ground floor.

7.0 Supporting information provided by the applicant

- Planning Statement
- Heritage Statement
- Sunlight/Daylight Assessment
- Contamination Report
- Design and Access Statement
- Energy Statement
- Ecology Report

8.0 Relevant planning history

There is no relevant planning history for this site.

Adjacent buildings

On 20 January 2009, planning permission was granted for the change of use from a dwelling to three self-contained flats and a three-storey extension on the east elevation to provide three self-contained flats (total six), removal of chimney, parking and associated works at the neighbouring site of 73 Howell Road (ref. [08/1969/FUL](#)).

On 10 April 2017, planning permission was granted for the change of use from a public house to a single-family dwelling, with external alterations at the

neighbouring property 67 Howell Road (ref. [17/0088](#)).

Pre-application advice

On 29 June 2020, positive advice was given to the applicant for a scheme where the principle of student development was accepted. The applicant was advised to make amendments to the design, reduce the bulk and ensure neighbouring amenity was addressed.

9.0 List of constraints

- Longbrook Conservation Area

10.0 Consultations

RSPB – recommends that the installation of integral bird boxes is made a condition of approval of the development.

Devon And Somerset Fire Rescue Service HQ - raise no objections. The Fire and Rescue Authority is a statutory consultee under the current Building Regulations and will make detailed comments when consulted by Building Control (or an Approved Inspector).

Designing out Crime Devon and Cornwall Police – no objection in principle.

Highway Authority – the proposal does not create any highway capacity or safety issues; the provision of cycle parking is welcomed. No objection subject to conditions requiring a Construction Environment Management Plan and ensuring that there is no surface water drainage onto the highway.

Heritage Officer – no objection on heritage grounds.

Waste And Recycling Team – sufficient space for communal bin storage is provided. No objection.

Environmental Health – requests conditions relating to contamination and a Construction Environment Management Plan.

St James Community Trust – raise concerns on the following grounds:

- Viability of continuing current use and loss of local service and employment
- Design
- Inappropriate alternative use of the site

- Confusion over the description of the proposed development – is it HMO or PBSA?
- Parking and access
- Impact on social sustainability

11.0 Representations

For the original submission (comprising 29 beds), 54 public comments were made in objection to the proposed development. A further 26 representations have been received following a re-consultation on the revised scheme for 26 beds. All but three are objections; two are neutral, and there is one letter of support from the immediate neighbour at 67 Howell Road, superseding a previous objection. This is because the applicant has addressed concerns about the relationship between the properties, and the use is appropriate in this location.

The concerns raised are summarised as follows:

- An increased young population will damage the age group balance of Exeter.
- Development is inconsistent with the neighbourhood plan, most notably with its emphasis on providing affordable housing.
- More students in the area will increase traffic congestion, further limit parking and increase the amount of rubbish in the area.
- Development has too many units.
- More students are problematic as they are noisy, especially when coming back drunk late at night.
- Residents nearest to the site will have less privacy.
- New accommodation should be for residents and not students.
- The student/private housing balance is further tipped.
- Visual appearance is not in keeping with the area.
- The garage to be demolished was an asset to the community in terms of service and employment, whereas the proposed development is 'anything but an asset'.
- Students generally lack pride within the area, and this development will further encourage this.
- The transient student population harms the sense of community within the area.
- The adopted local plan calls for an appropriate mix of housing.

12.0 Relevant policies

Development Plan

National Planning Policy Framework

5. Delivering a sufficient supply of homes which meet the needs of groups with specific housing requirements

7. Requiring good design

12. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy 2012

CP1 Spatial approach

CP5 - Student Accommodation

CP10 - Meeting Community Needs

CP15 - Sustainable Construction

CP16 Green infrastructure, landscape and biodiversity

CP17 - Design and Local Distinctiveness.

Exeter Local Plan First Review 1995-2011

The policies which are relevant to this proposal are:

AP1 - Design and Location of Development
AP2 - Sequential Approach
H1 - Search Sequence
H2 - Location Priorities
H5 - Diversity of Housing
E3 – Protection of business and employment opportunities
T1 - Hierarchy of Mode
T2 - Accessibility Criteria
T3 - Encouraging the Use of Sustainable Modes
T10 - Car Parking Standards
C1 – Development in Conservation Areas
EN2 - Contaminated Land
EN5 – Noise
DG1 - Objectives of Urban Design
DG2 - Energy Conservation
DG7 - Crime Prevention and Safety

Other material considerations

University Supplementary Planning Guidance
Exeter St James Neighbourhood Plan 2013
Sustainable Transport SPD 2013
Longbrook Conservation Area Appraisal 2005

13.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1, Protection of property

Considering the application in accordance with Council procedures will ensure that all interested views are considered. All comments from interested parties have been considered and reported within this report in summary, with full text available via the Council's website.

It is acknowledged that there are certain properties where they may be some impact (this can be mitigated by conditions – if relevant). However, any interference with the right to a private and family life and home arising from the scheme as a result of the impact on residential amenities is considered necessary in a democratic society in the interests of the economic well-being of

the city and wider area and is proportionate given the overall benefits of the scheme in terms of provision of residential accommodation.

Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling land development. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

14.0 Public sector equalities duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions, must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and those who do not.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that is connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that is different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to remove any disadvantage entirely, the Duty is to have “regard to” and remove OR minimise disadvantage. Considering the merits of this planning application, the planning authority has had due regard to the matters set out in section 149 of the equality Act 2010.

15.0 Financial Issues

The requirements to set out the financial benefits arising from a planning application are in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development that officers consider are likely to be obtained by the authority if the development is carried out, including their value if known and should include whether the officer finds these to be material or not material.

Non-material considerations

CIL contributions

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site. This proposal is CIL liable.

CIL is charged for this development at a rate of £40 per square metre plus new index linking. Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued before the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development. Full details of current charges are on the Council's website. This development's rate per square metre granted for 2023 is £63.39.

The proposal will generate Business rates.

16.0 Planning assessment

The primary considerations are the principle of development on this site, the impact of the proposed design upon the character and appearance of the Longbrook Conservation Area and the street scene in general, the amenities of the neighbouring residents, parking/accessibility, energy, contamination and biodiversity.

Principle of development

Policy CP5 of the Core Strategy states that purpose-built student accommodation should be provided to meet housing needs. Paragraph 6.28 states that '75% or

more of additional student numbers should be accommodated in *purpose-built student housing. New purpose-built student housing should be located on, or close to, the University campuses, at sustainable locations at or near to major transport routes, or in the City Centre*. The supporting text refers to the “75% PBSA target,” which has not been met by completed development, indicating a continued need. The proposal complies with this policy.

Exeter Local Plan Policy H5 also supports student accommodation providing that:-

- a) The scale and intensity of use will not harm the character of the building and the locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on-street parking problems;
- b) The proposal will not create an over-concentration of the use in any one area of the city which would change the character of the neighbourhood or create an imbalance in the local community;
- c) Student accommodation is located so as to limit the need to travel to the campus by car.

The City Council does not currently define community imbalance in any planning documents. The forthcoming Article Direction review will consider this, but the work is not yet complete or enshrined in policy. The lack of a definition makes it difficult to provide evidence that the proposal fails to comply with policy H5.

The University Supplementary Planning Guidance set out nine principles which would be material considerations in determining any application. It states that the City Council ‘...will seek the provision of as much purpose-built student accommodation as possible to reduce the impact on the private sector housing market (principle 3) and that relatively high-density managed accommodation on appropriate sites will need to make a significant contribution to meeting need (principle 4).

St James Neighbourhood Plan policy C2: *Large Scale Purpose Built Student Accommodation* states that large-scale purpose-built student accommodation will be permitted in areas where it can be properly integrated into the urban area.

This means locations:

- a) that are not predominantly characterised by intact streets of traditional terraced, semi-detached and detached forms of 2-3 storey residential development
- b) where the servicing and parking requirements could be achieved with no unacceptable impact on the amenity of the adjacent area for residents;
- c) where the scale and massing of any purpose-built accommodation proposed would be broadly similar to that of surrounding buildings.

The applicant has demonstrated that the scheme complies with all three elements of this policy.

The applicant has submitted a Barrister's opinion addressing the relevance of Neighbourhood Plan policy C2. It concludes: "In my opinion...it can be properly said that the redevelopment accords with the relevant provisions of the Neighbourhood Plan. Consequently, Policy C2 requires that planning permission be granted for the proposal".

The opinion also concludes that "given the development plan expressly permits the development, it is my opinion that a costs application against the local planning authority would be highly likely to succeed in the event that the Council determined to refuse planning permission for the purpose-built student accommodation on a brownfield site in the student city of Exeter and where no harm has been evaluated as arising...My view is reinforced by the Secretary of State's decision, dated 19 December 2019, paragraph 86, where he held "local opposition... is not itself sufficient grounds to withhold planning permission" for student accommodation".

CP17 of the Core Strategy states that all development proposals will exhibit a high standard of sustainable design that is resilient to climate change and complements or enhances Exeter's character, local identity and cultural diversity. The proposal complies with this policy.

Overall, the principle of student accommodation in this location is supported by Exeter's development plans, including the Core Strategy, Local Plan, and University Supplementary Planning Guidance, subject to specific criteria.

The proposals are to create student accommodation with the appearance of individual townhouses. The site is ideally located for student accommodation, given its proximity to the main University campus (Streatham Campus) and the City Centre.

The former use of the site as a garage/workshop with parking to the front presents a poor townscape for the area. Therefore, it is appropriate that the site be redeveloped to improve the streetscape. The site employed two people. The loss of employment is negligible; the benefits of this scheme include the provision of a well-designed scheme and the removal of a building which fails to contribute positively to the area's character. It is recognised that the proposal will result in the loss of a local facility and employment site of the type that Local Plan policy E3 seeks to protect, but this is, on balance, outweighed by the scheme's benefits.

The principle of development, including demolishing an unattractive building and replacing it with a well-designed building for student accommodation and focusing on previously developed land, is considered acceptable. However, the impact on local amenities, heritage assets, the safety of local roads, the quality of the local environment, and the impact on community facilities requires careful consideration.

It is recognised that local residents would prefer, if the site is to be redeveloped, to see an alternative form of residential development not occupied by students. However, the local planning authority must determine this application based on current national and local planning guidance. It would be inappropriate for Officers to recommend refusal because an alternative form of occupation would be preferable unless there is a policy basis for doing so.

Scale, design, impact on character and heritage assets

In line with the NPPF, planning decisions should ensure that developments are visually attractive due to good architecture, layout and appropriate landscaping. Development should be sympathetic to local character, and permission should be refused for a poor design that fails to improve an area's character and quality. In line with Policy DG1 of the Exeter Local Plan First Review, new buildings should respect their setting and relate well to the background of existing building blocks and roof shapes.

In terms of such a heritage asset, there is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision-makers to have a special regard for the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Policy C1 states, "*development within or affecting a conservation area (including changes of use, alterations and extensions) must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area*". The supporting text states that "*Conservation areas are not museum pieces and new and old need to be woven together to create a dynamic, living and working community*". In this policy context, the proposal is considered to achieve this by redeveloping a poorly designed site with a new development which sits comfortably within the street scene and a design which takes its cues from the neighbourhood.

The proposed accommodation would be a single terrace of two storeys, a lower ground floor, and an attic with small front and rear dormers. It would be laid out as a terrace of three properties, each comprising three bays with a central front door.

The terrace would be faced with red brick under a slate roof and with similar decorative bands and gauged window heads as those visible at Nos.73 – 82 Howell Road. The windows would be of timber, double-glazed sliding sash design.

The proposals would significantly enhance this part of the Conservation Area by removing an unattractive utilitarian structure and forecourt parking and strengthening the street frontage with a sympathetically designed response to the architectural character of the Conservation Area. It replicates the scale, architectural form and materials of the adjacent Victorian terraces, thereby

preserving the architectural consistency of the streetscape and reinforcing the elements which contribute positively to its character and appearance.

The housing in this area comprises rows of two and three-storey terraced housing with few gaps between buildings. This site, with a low-lying single-storey building, is an anomaly within the street scene. The proposal would infill this gap with a block of student accommodation, designed to appear as terraced housing with adequate spacing between the neighbouring properties, primarily to ensure there is no harmful impact on the windows within the sides of the adjacent properties.

The proposed development positively impacts the Conservation Area. As such, it accords with the statutory and development plan imperative to preserve or enhance the significance and setting of heritage assets. So far as the development plan is concerned, the proposal accords with Policies C1 and DG1 of the Local Plan and policy CP17 of the Core Strategy.

Standard of accommodation

There are no national space standards for student housing, but the proposed unit sizes comply with national standards, with all rooms being a minimum of 11 square metres. The functionality and size of the space have ensured that the units have individual bathrooms and good natural lighting with a shared kitchen/dining/living room on each floor and the lower ground floor sharing a communal garden.

Residential amenity

The two buildings most affected by this development would be those immediately neighbouring the site: 67 and 73 Howell Road. The applicant has commissioned a Sunlight/Daylight assessment demonstrating that there would be no harm to the neighbouring properties. A further assessment was undertaken to show that all assessed rooms, including seven bedrooms and one kitchen/living room on the lower ground floor, meet all relevant daylight and sunlight criteria as per the appropriate national guidance. Therefore, the proposed development will provide future occupants with adequate levels of daylight and sunlight.

The proposed design has ensured it is at a similar height to the adjoining dwellings and is set a significant distance from side windows to ensure the building would not appear overbearing or block out sunlight/daylight.

Transport, access and parking

National and local policy has a presumption favouring sustainable development and creating safe and suitable access. In line with objective 5 of the Core Strategy, development should seek to minimise the need to travel and reduce dependence on the car. The proposal is considered sustainable, within walking and cycling distance of education hubs, the city centre and local parks.

The proposal includes one accessible flat which could be lived in by someone in a wheelchair.

Adequate space has been provided for bicycles to be parked safely and securely on the site. This provision meets the standard set out in the Sustainable Transport SPD. Further, sufficient spaces have been provided to store bins at the side of the site.

The Highway Authority recommends a condition to secure details of the cycle parking and provision before the occupation of the development. For the reasons outlined above, access arrangements comply with the relevant policies within the Local Plan and the Sustainable Transport SPD.

Contamination

The application is supported by a contamination report which concludes that the existing building occupies much of the site area, giving reduced opportunity for investigation pre-demolition. However, investigation works could be carried out indoors with appropriate ventilation.

The recommended preliminary ground investigation of the site comprises five dynamic sample boreholes with the installation of five ground gas and groundwater wells, groundwater and ground gas monitoring, chemical analysis of soils and waters and geotechnical analysis of soils. The applicant is willing to accept conditions which ensure there would be no issues relating to contamination of the land and the proposed development.

Sustainability

A BREEAM Review has been submitted with the application, demonstrating that the proposal would achieve an Excellent rating.

A range of renewable and low-energy technologies have been reviewed. It is proposed that an adequately sized PV and solar thermal hot water system be installed to meet the City Council's Policy for reducing the building's carbon emissions.

Along with solar technologies, the development will adopt a fabric-first approach to maximise the building envelope's thermal performance and minimise the air permeability values. As the design develops, the heating load profiles for the development will need to be produced and revised to ensure the solar systems proposed work optimally. Therefore, the proposed development complies with Policy CP15 of the Core Strategy.

Ecology

No features of ecological interest were found at the site following a preliminary ecological assessment.

To achieve a level of 'biodiversity gain', a total of 6 bat boxes of a suitable design will be mounted on the outside walls of the new development. This will be secured through an appropriately worded condition.

17.0 Conclusion

Overall, the purpose-built student accommodation would respect and contribute positively towards the area's character and appearance. It would not result in unacceptable harm to the amenity of neighbouring residents – the proposal would ensure there is no harm to neighbouring properties through loss of light, being overbearing or blocking outlook. The proposal makes appropriate provisions for refuse storage and cycle parking. The site is in a sustainable location within walking distance of the University and the city centre; therefore, no car parking is provided or necessary.

In summary, the proposal would be acceptable for the following reasons:

- Demolition of a building which is classified as being one which does not make a positive contribution to the character or appearance of the Longbrook Conservation Area;
- The opportunity to provide a building that would enhance the character and appearance of the conservation area;
- The provision of purpose-built student accommodation in an attractive building which would blend in with this residential area;
- There would be no demonstrable harm to neighbouring residents;
- There would be sufficient space for bicycle parking and bin stores;
- Provision of student housing within walking distance of the University;
- An energy-efficient building providing a sustainable form of development.

Overall, it is considered that the proposal is compliant with Exeter Local Development Framework Core Strategy Policies CP5 - Student Accommodation, CP10 - Meeting Community Needs, CP15 - Sustainable Construction and CP17 - Design and Local Distinctiveness and to Exeter Local Plan First Review 1995-2011 policies AP1 - Design and Location of Development, AP2 - Sequential Approach, H1 - Search Sequence, H2 - Location Priorities, H5 - Diversity of Housing, T1 - Hierarchy of Modes, T2 - Accessibility Criteria, T3 - Encouraging Use of Sustainable Modes, T10 - Car Parking Standards, C1 – Development in Conservation Areas, EN2 - Contaminated Land, EN5 – Noise, DG1 - Objectives of Urban Design, DG2 - Energy Conservation and DG7 - Crime Prevention and Safety and to the NPPF.

18.0 Recommendation

GRANT planning permission subject to the following conditions (and their reasons):

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 as set out in the drawing issue sheet 3615 1 dated 11 October 2022 and received by the Local Planning Authority on 13 October 2022 as modified by other conditions of this consent.

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

4) Unless otherwise agreed in writing, a detailed scheme for landscaping, including planting trees or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority. No building shall be occupied until the Local Planning Authority has 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 scheme's implementation. The landscaping shall be implemented in accordance with the approved scheme and the agreed programme.

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

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 five years from the date of the completion of the implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

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

6) Pre-commencement condition: No development shall occur until a Construction and Environment Management Plan CEMP has been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the details and wording of the CEMP, the following restrictions shall be adhered to:

a There shall be no burning on site during demolition, construction or site preparation works;

b Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;

c Dust suppression measures shall be employed during construction to prevent off-site dust nuisance.

The approved CEMP shall be adhered to throughout the construction period.

Reason for the pre-commencement condition: In the interests of the occupants of nearby buildings. This information is required before development commences to ensure that the impacts of the development works are appropriately considered and addressed at the earliest possible stage.

7) Pre-commencement condition: No part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for the construction period.

Reason for the pre-commencement condition: To ensure that adequate on-site facilities are available for the construction traffic attracted to the site. This information is required before development commences to ensure that the impacts of the development works are appropriately considered and addressed at the earliest possible stage.

8) The development hereby approved shall not be brought into its intended use until secure cycle parking facilities for residents have been provided in accordance with the approved details. After that, the said cycle parking facilities shall be retained for that purpose at all times.

Reason: To ensure that cycle parking is provided in accordance with Exeter Local Plan Policy T3.

9) Pre-commencement condition: 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, has been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with, together with confirmation that no unacceptable risks remain.

Reason for the pre-commencement condition: In the interests of the amenity of the occupants of the buildings hereby approved. This information is required before development commences to ensure that any remedial works are appropriately considered and addressed at the appropriate stage.

10) Pre-commencement condition: Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall achieve a BREEAM excellent standard (minimum 70% score) as a minimum. Before the commencement of development of such a building, the developer shall submit to the Local Planning Authority a BREEAM design (interim) stage assessment report, to be written by a licensed BREEAM assessor, which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required, the developer shall provide, before the commencement of development of the building, details of what changes will be made to the building to achieve the minimum standard for the approval of the Local Planning Authority to be given in writing. The building must be completed entirely in accordance with any approval given. A BREEAM post-completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building. It shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

Reason for the pre-commencement condition: To ensure that the proposal complies with Policy CP15 of the Council's Adopted Core Strategy and in the interests of delivering sustainable development. The design stage assessment must be completed before the commencement of development because the findings may influence the design for all stages of construction.

11) Before the occupation of the development hereby approved, details of the provision for nesting swifts shall be submitted to and agreed upon in writing by the Local Planning Authority. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained after that.

Reason: In the interests of preserving and enhancing biodiversity in the locality.

12) The works of demolition hereby authorised shall not be carried out before a contract for the carrying out the works of the redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason: In the interests of the appearance of the Conservation Area.

13) Pre-commencement condition: Before the commencement of the development, details of the sustainable design and construction methods, including those to optimise energy and water efficiency, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the development's occupation.

Reason for the pre-commencement condition: To ensure that the proposal complies with Policy CP15 of the Core Strategy and Policy SD4 of the Exeter St James Neighbourhood Plan and in the interests of delivering sustainable development. These details are required before the commencement of the development to ensure that they are delivered during the construction.

14) Before the construction of the external walls of the development hereby permitted, details of the following, including confirmation of colour, shall be submitted to and approved in writing by the Local Planning Authority:

- (1) External doors
- (2) Windows, including depth of reveals
- (4) Rainwater goods
- (5) Fascia, soffit and barge boards

The development shall be constructed in accordance with the approved materials/details.

Reason: In the interests of design and the area's character, in accordance with Policy CP17 of the Core Strategy, Policy DG1 of the Exeter Local Plan First Review and paragraph 58 of the NPPF.

15) No external lighting shall be installed on the site or the building hereby permitted unless details of the lighting have previously been submitted and approved in writing by the Local Planning Authority (including location, type and specification). The details shall demonstrate how the lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation if necessary). The lighting shall be installed in accordance with the approved details.

Reason: To ensure lighting is well designed to protect the area's amenities and wildlife.

16) In accordance with details that shall previously have been submitted to and approved by the Local Planning Authority, the provision shall be made within the site for the disposal of surface water so that none drains onto any County Highway.

Reason: In the interest of public safety and preventing highway damage.

17) Unless otherwise agreed in writing by the local planning authority, the dwellings comprised in the development shall not be occupied other than by students, except that the dwellings may be let to persons other than students for periods not exceeding 2 weeks in any one year period during the months of July and August each year.

Reason: The development has been designed for student occupation and is not suitable for unrestricted residential occupation.

18) Unless otherwise agree in writing, no part of the development hereby approved shall be occupied until a management plan has been submitted to and agreed in writing by the local planning authority. The management plan will include:

- i) occupation/letting criteria,
- ii) staff support/control,
- iii) student discipline,
- iv) car ownership/parking and
- v) security, and,
- vi) an arrival/departure procedure.

Immediately upon occupation of the Development, the Developer shall implement the management plan. Following implementation of the management plan, there must be no variation of it without the prior written agreement of the local planning authority.

Reason: In the interests of the proper management of the development and to protect the amenity of occupiers and neighbours.

This page is intentionally left blank

NOTES:
 DIMENSIONS ARE NOT TO BE SCALED FROM THIS DRAWING
 ALL DIMENSIONS ARE TO BE CHECKED AGAINST ACTUAL SITE
 DIMENSIONS BEFORE ANY WORK IS FABRICATED

COPYRIGHT RESERVED
 THIS DRAWING IS THE PROPERTY OF BHP HARWOOD
 ARCHITECTS AND MAY NOT BE COPIED, REPRODUCED LENT OR
 DISCLOSED WITHOUT THEIR EXPRESS PERMISSION IN WRITING.

REVISIONS

Rev.	Date	Description

Client :
 Mr. Sam
 Williams

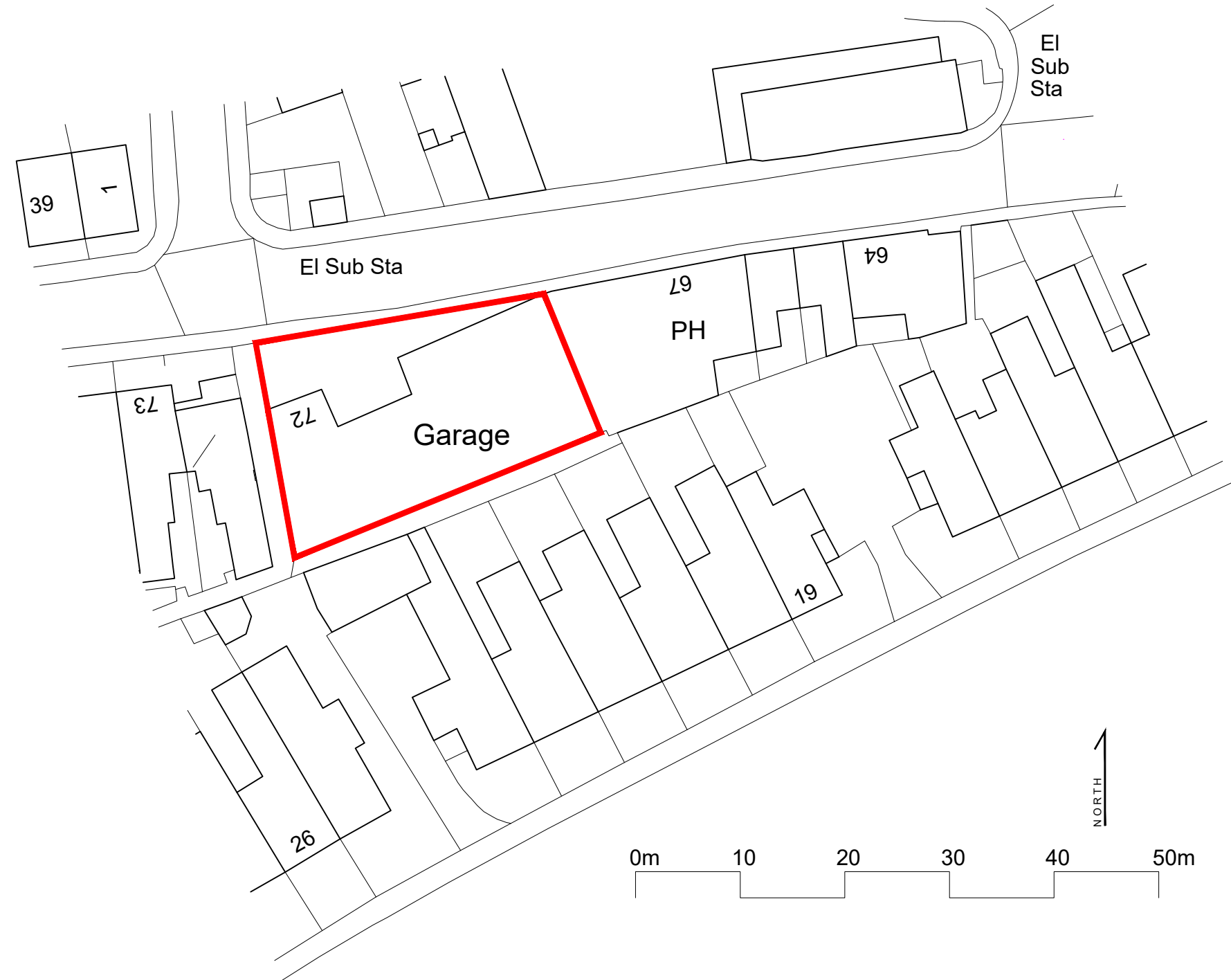
Job :
 Maximum Motors
 Exeter

Drawing Title:
 Site Location Plan

Scale:
 1:500 @A3

Date: MAR 22 Drawn By: SR Checked: RN

Drawing No: 3615.P.200 Revision: -



Page 97

Ordnance Survey, (c) Crown Copyright 2020. All rights reserved. Licence number 100022432

PLANNING

The White Barn, Manor Farm, Manor Road
 Wantage, Oxfordshire, OX12 8NE
 T: 01235 765322 F: 01235 765373
 The Mansion House, Hartham Park, Corsham,
 Wiltshire, SN13 0RP
 T: 01249 700489 F: 01249 470077
 info@bhpharwood.co.uk - www.bhpharwood.co.uk



This page is intentionally left blank

Planning Committee Report – 22/0770/FUL

1.0 Application Information

Number:	22/0770/FUL
Applicant:	McCarthy and Stone Retirement Lifestyles Ltd
Proposal:	Construction of 62 Retirement Apartments (Category II Type Sheltered Housing) with communal facilities and car parking (revised plans).
Site Address:	Buckerell Lodge Hotel Topsham Road Exeter
Registration Date:	28 May 2022
Link to Application:	22/0770/FUL Construction of 62 Retirement Apartments (Category II Type Sheltered Housing) with communal facilities and car parking (revised plans). Buckerell Lodge Hotel Topsham Road Exeter Devon EX2 4SQ
Ward Member(s):	Councillors J Moore, Branston and Vizard

This application has been referred to the planning committee because it has been subject to a significant number of objections.

2.0 Summary of recommendation

DELEGATE to GRANT permission subject to completion of a S106 Agreement relating to matters identified and subject to conditions as set out in the report, but with a secondary recommendation to REFUSE permission in the event the S106 Agreement is not completed within the requisite timeframe for the reason set out below.

3.0 Reason for the recommendation

The proposal is considered to be a sustainable development when balancing the development plan policies, National Planning Policy Framework 2021 (NPPF) policies, including the presumption in favour of sustainable development in paragraph 11, National Planning Practice Guidance (NPPG), and the constraints and opportunities of the site. A s106 legal agreement and conditions are necessary to secure affordable housing, infrastructure contributions and other aspects of the development to make it acceptable in planning terms.

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	<p>The proposed use is residential, in an area characterised by residential development, albeit mainly in houses rather than flats.</p> <p>Core Strategy policy CP10 and Local Plan Saved policy CS6 seek to avoid harm to the provision of community space but do not identify hotels as a use that would fulfil community needs. The proposal is not contrary to these policies.</p>
Scale, design, impact on character and appearance	<p>The proposal will not harm the local townscape character because of its height, volume, shape or materials. The scheme complies with Core Strategy policies CP4 and CP17 and Local Plan Saved policies DG1 and DG6.</p>
Impact on amenity	<p>The proposal incorporates sitting-out space, balconies, good-quality outlook from private rooms, and high-quality internal and external communal spaces.</p> <p>The proposal meets the Council's guidelines to avoid unacceptable overlooking and overbearing.</p> <p>The proposal complies with Local Plan Saved Policy DG4 – Residential layout and amenity.</p>
Impact on landscape or heritage assets	<p>The application site benefits from mature landscaping. The visual contribution made by the site will be enhanced, and the occupants of the development will have a high-quality outdoor shared amenity space. The proposal complies with Exeter Local Plan Saved Policy DG1.</p>

	There are no heritage assets affected by this application.
Access and Parking	<p>The proposal for two cycle spaces is inadequate. The site is in a location that can make good use of the existing cycle network to benefit both occupants and visitors. It is therefore proposed to impose a condition requiring the approval and provision of additional cycle parking.</p> <p>The proposal will not harm highway safety.</p>
Affordable Housing	The proposal is supported by a Financial Viability Assessment, which has been independently assessed. The applicant has offered an off-site contribution of £345,555 towards affordable housing. It is recommended that this offer is accepted.

5.0 Description of site

The application site is located on the northern side of Topsham Road to the south-east of the city centre. The site slopes approximately 3 metres north to south and 4 metres east to west. The site is bounded to the north, east and west by residential properties of a domestic scale, mainly confined to one and two storeys. The surrounding area is primarily residential. Access to the site is from Topsham road on the southern boundary, which is lined by mature trees.

The site is currently occupied by Buckerell Lodge, which until recently was operating as a hotel. The application states that the hotel went into administration following a difficult period due to the COVID-19 pandemic.

The existing building is positioned towards the centre of the site. On the approach to the site, the main focus of the site is the two-storey white-rendered

lodge with a hipped roof. This has previously been extended with single-storey and two-storey projections to the north-west and north-east. To the south-eastern half of the site is a large car park, and the rest of the site, to the north-east corner and south-west, is made up of landscaped gardens and mature trees protected by a Tree Preservation Order.

6.0 Description of development

Planning consent is sought to demolish the existing building and construct a three-storey u-shaped building with a flat roof across the north-eastern half of the site. There are set-backs and projections along the south elevation. The building is proposed to be finished with brick and render. The first and second floor apartments will be served by projecting metal balconies.

The development will provide 62 units of accommodation as older persons' homes for 'retirement living'. In total, there are 23 two-bed apartments and 39 one-bedroom apartments. A communal lounge area is provided on the ground floor. Communal amenity space is provided at the front and rear of the building.

The site utilises the existing access from Topsham Road. To the eastern boundary is the proposed car park, with 40 spaces offered, including two accessible parking spaces and an electric buggy store.

In response to an independent Design Review by the Exeter Design Quality Partnership, there have been revisions to the scheme, including:

- Modifications to the internal layout to avoid long corridors and increase natural light.
- Reducing massing by setting the attic back on the east and west wings.
- Using a darker render on parts of the top floor to achieve a visually recessive look.
- Reducing the impact on the amenity of the neighbouring dwellings by cutting the massing of the north-west wing by introducing a smaller top-floor apartment type and redesigning the north-east wing using set-back apartments to reduce the overall massing at both ends of the building.
- Redesigning the landscape to eliminate steps smoothing out the corners of existing paths, connecting them into a continuous serpentine loop, and adding resting places and spaces for potential social interaction.
- Utilising buff-coloured tarmac to differentiate materials between pathways and car park.
- Revised the mobility scooter store location to improve landscaping and accessibility.
- Revised the design and layout to protect the most important trees.
- Increasing the number of bird boxes to reflect the Council's Residential Design guidance.

7.0 Supporting information provided by the applicant

- Existing and proposed plans and elevations
- Planning statement
- Design and access statement
- Transport
- Travel plan
- Ground conditions
- Flood Risk/Drainage
- Visual Montages
- Energy statement
- Need statement
- Statement of community involvement
- Noise assessment
- Ecological assessment
- Financial viability assessment
- Tree survey
- Bomb survey
- Archaeology
- Amenity space statement
- Visual montages
- Refuse and waste management
- Air Quality

8.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
21/0949/FUL	Proposed demolition of hotel and construction of older persons' home and associated car parking.	Refuse	21.01.2022

The previous refusal was on the following grounds:

- unduly large, unsympathetic and poorly designed form of development that would not fit comfortably within its plot or with the character of the local area;
- inadequate private amenity space for the flats, to the detriment of the amenity of the future occupants;
- unnecessary loss of existing protected trees
- overdevelopment of the site
- no contribution towards affordable housing

In addition to the above, Buckerell Lodge has been previously extended with single-storey extensions to provide additional kitchen, plant and equipment

storage areas in 1997, reference [96/0844/FUL](#) and amendments were sought and approved under application reference [97/0348/FUL](#).

Before this, consent was granted (ref. [92/0087/FUL](#)) in 1992 for single-storey extensions to include the provision of a function room, extensions to car parking and servicing area (76 spaces in total).

In 1989, planning consent was granted (ref. [89/0138/FUL](#)) for alteration/extension and use as meeting rooms/function areas ancillary to the hotel.

There have been various applications for works to the protected trees on site, including references 20/1252/TPO; 17/0937/TPO; 15/0192/TPO; 14/0477/TPO; 06/0478/TPO; 05/1223/TPO; 00/0610/TPO)

9.0 List of constraints

- Air Quality Management Area
- Tree Preservation Order

10.0 Consultations

- NHS – seeks two financial contributions: one for primary care (£36,347) and the other for secondary care (£16,128). Total requested: £52,475
- RSPB - recommends that a minimum of forty “universal” integral bird boxes are installed in clusters of three or four in suitable locations on all four elevations and made a condition of the consent if granted, which will be comparable with many buildings of similar type and mass already built in Exeter.
- South West Water – no objection in principle
- Devon and Somerset Fire Authority – the proposal does not comply with the Building Regulations, but this can be addressed at the appropriate time.
- Police Designing out Crime Officer – no objection
- Devon County Council Local Highway Authority – no objection in principle. The development is likely to represent a decrease in the level of vehicle movements. There is no severe impact on the highway or any safety concerns. The proposal is for 43 parking spaces with 3 ELV charging points and two accessible parking spaces. The Highway Authority accepts this level for this development. Cycle parking has been proposed for two spaces after research conducted into similarly sized developments of this nature. Whilst it

is accepted that flexibility in the requirements for cycle parking should be applied given the site usage, a condition is recommended to secure further details of the quantum of cycle parking. Given the location and connections to active travel routes, parking facilities should be increased to encourage cycling to the site, particularly for visitors and able residents.

- Devon County Council Local Lead Flood Authority – no objection in principle.
- Exeter City Council Tree Officer – following revisions to the proposal, no objection.
- Exeter City Council Environmental Health – no objections subject to conditions (Construction Environment Management Plan, contaminated land, noise mitigation)
- Exeter City Council Waste and Recycling Officer - no objection
- Exeter Cycle Campaign – objection – insufficient cycle parking.

11.0 Representations

- Objections: 27
- Support: 2
- Neutral: 3
- Principal planning issues raised (support):
 - The proposed use and design are appropriate
 - No traffic impact
 - The proposal will free up bigger houses in the area
- Principal planning issues raised (objections):
 - Overdevelopment
 - Overbearing
 - Overlooking
 - Poor design
 - Lack of character
 - Loss of hotel
 - Potential impact on trees
 - Potential impact on wildlife

12.0 Relevant policies

Central Government Guidance

National Planning Policy Framework (NPPF) 2021

Planning Practice Guidance

Exeter Local Development Framework Core Strategy 2012

- CP1 – Spatial approach
- CP3 – Housing development
- CP4 – Housing density
- CP5 – Meeting housing needs
- CP7 – Affordable housing
- CP10 – Community facilities
- CP11 – Pollution and air quality
- CP14 – Renewable and low-carbon energy
- CP15 – Sustainable design and construction
- CP16 – Green infrastructure, landscape and biodiversity
- CP17 – Design and local distinctiveness
- CP18 – Infrastructure requirements and developer contributions

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
- H5 – Diversity of housing
- H6 – Affordable housing
- H7 – Housing for disabled people
- T1 – Hierarchy of modes of transport
- T2 – Accessibility criteria
- T3 – Encouraging the use of sustainable modes of transport
- T9 – Access to a building by people with disabilities
- T10 – Car parking standards
- EN3 – Air and water quality
- DG1 – Objectives of urban design
- DG4 – Residential layout and amenity
- DG6 – Vehicle circulation and car parking in residential developments
- DG7 – Crime prevention and safety

13.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1, Protection of property

Considering the application in accordance with Council procedures will ensure that all interested views are considered. All comments from interested parties

have been considered and reported within this report in summary, with full text available via the Council's website.

It is acknowledged that there are specific properties where they may be some impact (this can be mitigated by conditions – if relevant). However, any interference with the right to a private and family life and home arising from the scheme as a result of an impact on residential amenities is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme in terms of provision of residential accommodation.

Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling land development. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

14.0 Public sector equalities duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions, must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and those who do not.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that is connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that is different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to remove any disadvantage entirely, the Duty is to have “regard to” and remove OR minimise disadvantage. Considering

the merits of this planning application, the planning authority has had due regard to the matters set out in section 149 of the equality Act 2010.

15.0 Financial Issues

The requirements to set out the financial benefits arising from a planning application are set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which:-

- a) is made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information on financial benefits must include a list of local financial considerations or benefits of development that officers consider are likely to be obtained by the authority if the development is carried out, including their value if known and should include whether the officer finds these to be material or not material.

Material considerations

Affordable housing

Non-material considerations

CIL contributions

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site. This proposal is CIL liable.

The rate at which CIL is charged for this development is £80 per square metre plus new index linking. Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued before the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development. Full details of current charges are on the Council's website. This development's rate per square metre given for 2023 is £126.79.

The proposal will generate Council Tax.

16.0 Planning assessment

Principle of development

In submitting this application, the applicant has sought to respond to the reasons for refusing the earlier application 21/0949/FUL. The reasons for rejecting this application related to the proposal's size, design, character, the amenity of occupants, impact on trees, and failure to contribute to affordable housing.

The previous application was not refused on any grounds relating to the principle of the proposed use or the loss of the existing use. The proposed use is residential, in an area characterised by residential development, albeit mainly in houses rather than flats. The last or current use is as a hotel which falls within Use Class C1. Some objectors have indicated that the proposal will result in losing a meeting space to the detriment of the local community. Core Strategy policy CP10 and Local Plan Saved policy CS6 seek to avoid harm to the provision of community space but do not identify hotels as a use that would fulfil community needs. The proposal is not contrary to these policies.

Scale, design, impact on character and appearance

The applicant has modified the proposal in response to previous refusal reasons relating to massing, character and materials. Following the submission of the current application, it was considered by the Exeter Design Quality Partnership. In response to the observations made, there were further design revisions as set out in section 6.0 above.

The proposal, as modified, will not harm the local townscape character because of its height, volume, shape or materials. The scheme complies with Core Strategy policies CP4 and CP17 and Local Plan Saved policies DG1 and DG6.

Impact on amenity

The previous application was refused partly because the proposal did not meet the City Council's standards for private outdoor space for flats. Flats are generally expected to have either ground floor private sitting-out space or balconies. The current proposal incorporates sitting-out space, balconies, good-quality outlook from private rooms, and high-quality internal and external communal spaces. There is no justification for refusal on the grounds of the amenity of occupants.

The previous application was not refused on the grounds of any impact on the amenity of neighbours. Notwithstanding this, the applicant has modified the proposal to reduce the scale, massing and proximity to neighbouring dwellings. It has demonstrated that the proposal meets the Council's guidelines to avoid unacceptable overlooking and overbearing. The proposal complies with Local Plan Saved Policy DG4 – Residential layout and amenity.

Impact on landscape or heritage assets

The application site benefits from mature landscaping. It includes trees that significantly contribute to the area's character. A Tree Preservation Order protects them. The previously refused scheme would have resulted in the loss of some valuable trees. The applicant has responded to comments by the Council's Tree Officer and the Exeter Design Quality Partnership to ensure that the best trees are retained and that the existing landscape character is strengthened by new hard and soft landscaping. As a result, the visual contribution made by the site will be enhanced, and the occupants of the development will have a high-quality outdoor shared amenity space. The proposal complies with Exeter Local Plan Saved Policy DG1.

There are no heritage assets affected by this application.

Access and Parking

The proposal includes significantly less cycle parking than expected for a residential scheme of this size. The applicant has sought to justify this based on its experience of the demand for cycle parking at its many other retirement developments. Notwithstanding this, the proposal of two cycle spaces is inadequate. The site is in a location that can make good use of the existing cycle network to benefit both occupants and visitors. It is therefore proposed to impose a condition requiring the approval and provision of additional cycle parking.

The proposal will not create the potential for additional harm to highway safety.

Affordable housing

In accordance with Core Strategy policy CP7, Local Plan saved policy H6, and the City Council's Affordable Housing Supplementary Planning Document, 35 per cent of new dwellings provided should be affordable. When the Council is satisfied that the affordable housing cannot be managed on-site, off-site provisions or contributions can be accepted. Developers must also demonstrate specific constraints that result in the 35 per cent requirement not being viable.

The earlier scheme did not offer any affordable housing on viability grounds, and this was identified as a reason for refusal. The current proposal is supported by a Financial Viability Assessment, which has been independently assessed. The applicant has offered an off-site contribution of £345,555 towards affordable housing. It is recommended that this offer is accepted.

17.0 Conclusion

The proposal is considered to be a sustainable development when balancing the development plan policies, National Planning Policy Framework 2021 (NPPF) policies, including the presumption in favour of sustainable development in paragraph 11, National Planning Practice Guidance (NPPG), and the constraints and opportunities of the site. A s106 legal agreement and conditions are

necessary to secure affordable housing, a healthcare contribution, and to make the proposal acceptable in planning terms.

18.0 Recommendation

a) DELEGATE TO THE DIRECTOR OF CITY DEVELOPMENT TO GRANT PERMISSION SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO SECURE THE FOLLOWING:

- A financial contribution towards affordable housing provision of £345,555
- A financial contribution to primary and secondary healthcare of £52,475

All S106 contributions should be index linked from the date of resolution.

And the following conditions (and their reasons):

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 (as explained and listed in the attachments to the agent's email dated 5 January 2023) as modified by other conditions of this consent.

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

Reason: 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. After that, the materials used in the development construction shall correspond with the approved samples in all respects.

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

4) Unless otherwise agreed in writing, 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 has 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, after that, 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 the interests of amenity.

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 five years from the date of the completion of the implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

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

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 drawing 1519-KC-XX-YTREE-TREEPROTECTIONPLAN01REVB.PDF. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development that is 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 approval is granted, the soil shall be removed manually without powered equipment.

Reason for pre-commencement condition - To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

7) Any trees, shrubs and/or hedges on or around the site shall not be felled, lopped or removed without the prior written consent of the Local Planning Authority.

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

8) Pre-commencement condition: No development (including ground works) or vegetation clearance works shall occur until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority. The Statement shall provide for the following:

- 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 monitor and control the emission of dust and dirt during construction (including, but not limited to, the measures recommended in Section 7 of Tetra Tech's Air Quality Assessment (reference no: 784-B027972, date: April 2021).
- h) No burning on-site during construction or site preparation works.
- i) Measures to monitor and minimise noise/vibration nuisance to neighbours from plant and machinery.
- j) Construction working hours and deliveries from 7:30 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.

Reason for the pre-commencement condition: In the interests of the occupants of nearby buildings. This information is required before development commences to ensure that the impacts of the development works are appropriately considered and addressed at the earliest possible stage.

9) Pre-commencement condition: No part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for the construction period.

Reason for the pre-commencement condition: To ensure that adequate on-site facilities are available for the construction traffic attracted to the site. This information is required before development commences to ensure that the impacts of the development works are appropriately considered and addressed at the earliest possible stage.

10) Unless otherwise agreed in writing, the development hereby approved shall not be brought into its intended use until secure cycle parking facilities for residents and visitors have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning

Authority. After that, the said cycle parking facilities shall be retained for that purpose at all times.

Reason: To ensure that cycle parking is provided in accordance with Exeter Local Plan Policy T3.

11) If, during demolition/ development, contamination not previously identified is found to be present at the site, then the Local Authority shall be notified as soon as practicable, and no further development (unless otherwise agreed in writing with the Local Planning Authority), shall be carried out until the developer has submitted an investigation and risk assessment, and where necessary a remediation strategy and verification plan, detailing how this unsuspected contamination shall be dealt with. Before the occupation of any part of the development, a verification report demonstrating the completion of the works in the approved remediation strategy shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of the amenity of the occupants of the buildings hereby approved.

12) Before the occupation of any dwelling hereby approved, details of the provision for nesting swifts shall be submitted to and agreed upon in writing by the Local Planning Authority. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained after that.

Reason: In the interests of preserving and enhancing biodiversity in the locality.

13) Unless otherwise agreed in writing the development shall be carried out in accordance with the submitted Energy Statement - March 2021 which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations for the relevant parcel of the site can be achieved. The measures required to achieve this CO2 saving shall then be implemented on the relevant parcel of the site. Within three months of the practical completion of any dwelling/building, the developer will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.

Reason: In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15.

14) Each unit of the residential accommodation hereby permitted shall be occupied only by persons 60 years old or over and the occupants' partners over 55 years old.

Reason: The scheme is designed for a specific age group and is unsuitable for unrestricted occupation.

15) The noise mitigation and ventilation recommendations in Tetra Tech's Noise Assessment (reference no.: 784-B027972, date: May 2022) shall unless otherwise agreed in writing with the LPA, be implemented in full before the occupation of the development and maintained after that.

Reason: In the interests of amenity.

16) No external lighting shall be installed on the site or the building hereby permitted unless details of the lighting have previously been submitted and approved in writing by the Local Planning Authority (including location, type and specification). The particulars shall demonstrate how the lighting has been designed to minimise impacts on local amenities and wildlife (including isoline drawings of lighting levels and mitigation if necessary). The lighting shall be installed in accordance with the approved details.

Reason: To ensure lighting is well designed to protect the area's amenities and wildlife.

17) No part of the development hereby approved shall be brought into its intended use until the Travel Plan measures outlined in the submitted document 205605-TRAVEL PLAN-V3 have been provided in accordance with details that shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 111 of the NPPF.

Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 111 of the NPPF.

18) No part of the development hereby approved shall be brought into its intended use until the vehicular parking and turning facilities have been provided in accordance with the approved plans. After that, they shall be retained for that purpose at all times.

Reason: To provide safe and suitable access in accordance with Paragraph 32 of the National Planning Policy Framework.

b) REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IS NOT COMPLETED BY 16 JULY 2023 OR SUCH EXTENDED TIME AS AGREED IN WRITING BY THE DIRECTOR OF CITY DEVELOPMENT

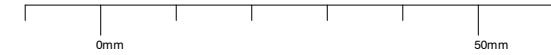
In the absence of a Section 106 legal agreement in terms that are satisfactory to the Local Planning Authority being completed within an appropriate timescale, and which makes provision for the following matters –

- A financial contribution towards affordable housing provision of £345,555
- A financial contribution to primary and secondary healthcare of £52,475

the proposal is contrary to Exeter Core Strategy Policies CP7 & CP18, and Exeter City Council Affordable Housing Supplementary Planning Document 2014.

This page is intentionally left blank

Responsibility is not accepted for errors made by others in scaling from this drawing.
All construction information should be taken from figured dimensions only.



Key:

- Site Boundary
- Site Ownership

Area (Ac) **Area (Ha)**
2.15 acres 0.87 hectare

REV	DATE	DESCRIPTION	BY	CHK
E	08/04/22	Planning Application	MHC	WJ
D	28/05/21	Updated site and ownership boundaries in response to comments	SW	FJ
C	06/04/21	Pink File Updates	SW	WJ
B	08/03/21	WIP Pinkfile Issue	SW	WJ
A	15/10/20	Guest suite relocation and small amendments made as client request	JH	FJ
-	09/10/20	Green File Issue	JH	WJ

STRIDE TREGLOWN

© Stride Treglown Limited 2017

CLIENT NAME: **McCarthy & Stone** ORIGINATOR NO: **154272**

PROJECT
**Retirement Living, Buckerell Lodge
Former Buckerell Lodge Hotel,
Topsham Road,
Exeter,
EX2 4SQ**

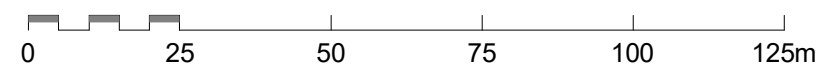
DRAWING TITLE
Site Location Plan

SUITABILITY STATUS
Pink File

SCALE
As indicated @ A3



REGION - PROJECT NO. - STAGE NO. - DISCIPLINE - DRAWING NO. - REV - DRAWING TITLE
**SO- 2728- 03- AC-000- E- Site
Location Plan**



This page is intentionally left blank

REPORT TO: PLANNING COMMITTEE

Date of Meeting: 8th February 2023

Report of: City Development Strategic Lead

Title: Delegated Decisions and Planning Report Acronyms

1 WHAT IS THE REPORT ABOUT

- 1.1 This report lists planning applications determined and applications that have been withdrawn between the date of finalising the agenda of the last Planning Committee and the date of finalising this agenda. Applications are listed by Ward.

2 RECOMMENDATION

- 2.1 Members are requested to advise the Assistant Service Lead City Development (Roger Clotworthy) or the Director of City Development (Ian Collinson) 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

4 PLANNING REPORT ACRONYMS

The following list explains the acronyms used in Officers reports:

AH Affordable Housing

AIP	Approval in Principle
BCIS	Building Cost Information Service
CEMP	Construction Environmental Management Plan
CIL	Community Infrastructure Levy
DCC	Devon County Council
DCLG	Department for Communities and Local Government: the former name of the Ministry of Housing, Communities & Local Government
DfE	Department for Education
DfT	Department for Transport
dph	Dwellings per hectare
ECC	Exeter City Council
EIA	Environment Impact Assessment
EPS	European Protected Species
ESFA	Education and Skills Funding Agency
ha	Hectares
HMPE	Highway Maintainable at Public Expense
ICNIRP	International Commission on Non-Ionizing Radiation Protection
MHCLG	Ministry of Housing, Communities & Local Government
NPPF	National Planning Policy Framework
QBAR	The mean annual flood: the value of the average annual flood event recorded in a river
SAM	Scheduled Ancient Monument
SANGS	Suitable Alternative Natural Green Space
SEDEMS	South East Devon European Sites Mitigation Strategy
SPA	Special Protection Area
SPD	Supplementary Planning Document
SPR	Standard Percentage Runoff
TA	Transport Assessment
TEMPro	Trip End Model Presentation Program
TPO	Tree Preservation Order
TRO	Traffic Regulation Order
UE	Urban Extension

Ian Collinson

Director of City Development

**All Planning Decisions Made and Withdrawn Applications
between 01/10/2022 and 30/01/2023**

Alphington	
Delegated Decision	
Application Number: 21/1453/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 03/01/2023
Location Address: Land At Aldens Farm East Chudleigh Road Exeter Devon	
Proposal:	Discharge conditions 6 (archaeological work scheme), 7 (Waste Audit Statement), 8 (LEMP), 9 (CEMP), 10 (surface water drainage - permanent), 11 (surface water drainage - construction), 12 (surface water drainage - adoption and maintenance), 13 (air quality measures), 14 (noise quality assessment), 15 (open space details), 18 (nesting birds details), 22 (carbon saving) and 28 (Construction Method Statement) of planning permission ref. 15/0640/OUT - Outline planning permission for residential development of up to 234 dwellings with accesses onto Chudleigh Road and Dawlish Road, associated landscaping, public open space, drainage and infrastructure with all matters reserved except for access. (Amended Scheme).
Delegated Decision	
Application Number: 22/0192/FUL	Delegation Briefing: 24/03/2022
Decision Type: Decline to Determine	Date: 20/12/2022
Location Address: 11 Church Road Alphington Exeter Devon EX2 8SB	
Proposal:	Creation of parking area on front garden.
Delegated Decision	
Application Number: 22/0312/FUL	Delegation Briefing: 14/04/2022
Decision Type: Permitted	Date: 14/12/2022
Location Address: 7 Lovelace Gardens Exeter Devon EX2 8XQ	
Proposal:	Proposed rear and side extension with additional exterior alterations.
Delegated Decision	
Application Number: 22/0469/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 21/10/2022
Location Address: Land At Matford Green Business Park Exeter EX2 8FN	
Proposal:	motor vehicle dealership for the sale of new and used motor vehicles including showroom, service centre workshop, bodyshop, with ancillary office space and ancillary storage, electric charging points, parking, landscaping including external wash bay housing, canopy and vehicular access.

Delegated Decision	
Application Number: 22/0726/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 07/10/2022
Location Address: Land South Of 5 Matford Way Exeter	
Proposal: Discharge of condition 6 (Travel Plan) of application no. 21/0509/RES.	
Delegated Decision	
Application Number: 22/0890/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 04/01/2023
Location Address: 28-30 Marsh Green Road West Exeter Devon EX2 8PN	
Proposal: Change of use from B8 (Storage and distribution) to Sui Generis mixed use B8 and E(a) (Storage and distribution and non-food retail); part demolition and remodelling of southern building; part demolition and raise ridge height of northern building; new cladding and roofing finishes throughout; ground level raised to the east and alterations to site layout, turning and parking arrangements.	
Delegated Decision	
Application Number: 22/0939/FUL	Delegation Briefing: 04/08/2022
Decision Type: Permitted	Date: 16/01/2023
Location Address: 1 Mandrake Road Exeter Devon EX2 8SQ	
Proposal: Replacement fencing to front garden.	
Delegated Decision	
Application Number: 22/1113/FUL	Delegation Briefing: 25/08/2022
Decision Type: Permitted	Date: 10/10/2022
Location Address: 57 Wellington Road Exeter Devon EX2 9DZ	
Proposal: Proposed cabin for ancillary accommodation use.	
Delegated Decision	
Application Number: 22/1203/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2023
Location Address: Ashton Business Centre Ashton Road Marsh Barton Trading Estate Exeter Devon EX2 8LN	
Proposal: Change of Use from B8 Storage and Distribution to Class B2 General Industrial Premises.	
Delegated Decision	
Application Number: 22/1211/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 31/10/2022
Location Address: 11 Hennock Road Central Marsh Barton Trading Estate Exeter Devon EX2 8NP	
Proposal: New La Manufacture signage for the Citroen Showroom including internally illuminated totem sign	

Delegated Decision	
Application Number: 22/1228/FUL	Delegation Briefing: 06/10/2022
Decision Type: Permitted	Date: 01/11/2022
Location Address: 2 St Michaels Close Alphington Exeter Devon EX2 8XH	
Proposal: Proposed front and rear extension, new garage and internal alterations.	
Delegated Decision	
Application Number: 22/1260/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 25/10/2022
Location Address: 2 St Michaels Close Alphington Exeter Devon EX2 8XH	
Proposal: Proposed rear extension and internal alterations.	
Delegated Decision	
Application Number: 22/1262/PDPV	Delegation Briefing:
Decision Type: Prior Approval Required and Granted	Date: 10/11/2022
Location Address: 5 Matford Way Matford Exeter Devon EX2 8FN	
Proposal: Installation of Solar panels	
Delegated Decision	
Application Number: 22/1288/FUL	Delegation Briefing: 06/10/2022
Decision Type: Permitted	Date: 07/11/2022
Location Address: 65 Broadway Exeter Devon EX2 9LU	
Proposal: Single storey rear extension, loft extension.	
Delegated Decision	
Application Number: 22/1347/PDPV	Delegation Briefing:
Decision Type: Prior Approval Required and Granted	Date: 14/11/2022
Location Address: Bridge House Alphinbrook Road Marsh Barton Trading Estate Exeter Devon EX2 8RG	
Proposal: Solar photovoltaic (PV) installation.	
Delegated Decision	
Application Number: 22/1350/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 05/01/2023
Location Address: 4 Lovelace Gardens Exeter Devon EX2 8XQ	
Proposal: Ground floor side extension.	

Delegated Decision			
Application Number:	22/1539/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	24/11/2022
Location Address:	Enterprise Flex-E-Rent Grace Road Central Marsh Barton, Exeter EX2 8QA		
Proposal:	Internally illuminated freestanding sign		
Delegated Decision			
Application Number:	22/1550/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	19/01/2023
Location Address:	Land South Of 5 Matford Way Matford Exeter Devon		
Proposal:	Discharge of condition 4 (CEMP) relating to application 22/0469/FUL		
Delegated Decision			
Application Number:	22/1621/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/01/2023
Location Address:	8A Midway Terrace Exeter Devon EX2 8UY		
Proposal:	Replace windows with UPVC double-glazed.		
Delegated Decision			
Application Number:	22/1740/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	13/01/2023
Location Address:	Unit 8B Stone Lane Retail Park Marsh Barton Road Exeter Devon EX2 8LH		
Proposal:	2 New fascia sign Shopfront.		
Duryard And St James			
Delegated Decision			
Application Number:	22/0397/FUL	Delegation Briefing:	02/06/2022
Decision Type:	Refuse Planning Permission	Date:	09/12/2022
Location Address:	47 Union Road Exeter Devon EX4 6HU		
Proposal:	Purpose-built student accommodation for 10 rooms.		
Delegated Decision			
Application Number:	22/0526/FUL	Delegation Briefing:	05/05/2022
Decision Type:	Permitted	Date:	16/11/2022
Location Address:	38 Sidwell Street Exeter Devon EX4 6NS		
Proposal:	Change of use from Class E Retail to Hot Food Takeaway (Sui Generis), including installation of new shop front.		

Delegated Decision			
Application Number:	22/0717/FUL	Delegation Briefing:	30/06/2022
Decision Type:	Permitted	Date:	15/12/2022
Location Address:	36 Argyll Road Exeter Devon EX4 4RY		
Proposal:	Replacement Garage and Terrace at front of property.		
Delegated Decision			
Application Number:	22/0731/FUL	Delegation Briefing:	07/07/2022
Decision Type:	Withdrawn by Applicant	Date:	10/01/2023
Location Address:	13 Powderham Crescent Exeter Devon EX4 6DA		
Proposal:	Replacement Rear extension and detached Garage.		
Delegated Decision			
Application Number:	22/0842/FUL	Delegation Briefing:	21/07/2022
Decision Type:	Permitted	Date:	12/10/2022
Location Address:	37 Sidwell Street Exeter Devon EX4 6NS		
Proposal:	Installation of Medpoint prescription collection machine into existing pharmacy shopfront.		
Delegated Decision			
Application Number:	22/0843/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	12/10/2022
Location Address:	37 Sidwell Street Exeter Devon EX4 6NS		
Proposal:	Vinyl wrap to the front of the machine with pharmacy logo and operational instructions.		
Delegated Decision			
Application Number:	22/0981/FUL	Delegation Briefing:	11/08/2022
Decision Type:	Permitted	Date:	05/10/2022
Location Address:	2 Highcroft Court High Croft Exeter Devon EX4 4RW		
Proposal:	Replacement front balcony. Alterations front elevation materials.		
Delegated Decision			
Application Number:	22/1021/FUL	Delegation Briefing:	18/08/2022
Decision Type:	Permitted	Date:	05/10/2022
Location Address:	Alta Higher Duryard Pennsylvania Road Exeter Devon EX4 5BQ		
Proposal:	Extensions and alterations and construction of a detached car port and studio.		

Delegated Decision	
Application Number: 22/1040/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 22/11/2022
Location Address: 2 West Avenue Exeter Devon EX4 4SD	
Proposal: T1 Beech. Reduce back lateral spread over garden of 4 West Avenue by a maximum of 2.5m, 40mm max cut diameter.	
Delegated Decision	
Application Number: 22/1050/FUL	Delegation Briefing: 18/08/2022
Decision Type: Refuse Planning Permission	Date: 04/11/2022
Location Address: 47 Danes Road Exeter Devon EX4 4LS	
Proposal: Ground floor and first floor rear extensions.	
Delegated Decision	
Application Number: 22/1081/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 28/11/2022
Location Address: 33 Edgerton Park Road Exeter Devon EX4 6DD	
Proposal: T1 Holm Oak - We have been asked by the home owner to cut branches away from the property (which has been done a number of times before) and then crown lift the tree to give more balance. The branches on the northern aspect are hanging quite low over the adjacent lane where neighbours park their cars so they hope this work will also benefit here too. I'm sorry but my photos don't really give the tree and proposed work justice! You will see that there is a substantial gap in the crown of the tree where a neighbouring tree once stood, above this there are a couple of smaller dead branches that we will remove at the same time as the proposed work. Due to the nature of the growth of the lower branches, there isn't a great deal to prune back to so we would like to remove 6 branches in their entirety, others will be suitable for branch reductions. Ultimately we are aiming to lift the crown by approximately 2m to give clearance to the house and better clearance over the adjacent lane.	
Delegated Decision	
Application Number: 22/1152/FUL	Delegation Briefing: 06/10/2022
Decision Type: Permitted	Date: 19/12/2022
Location Address: Land At Rear Of Hatherly Laboratories Poole Gate Exeter Devon	
Proposal: Construction of a new build single storey, flat roofed multifaith facility for the University of Exeter.	

Delegated Decision	
Application Number: 22/1167/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 22/11/2022
Location Address: Linares Taddyforde Estate Exeter Devon EX4 4AT	
Proposal:	T1 - Cupressus macrocarpa - Crown lift area marked on the plan (over the drive of 'Koduke'; by removing 4 secondary branches. Two branches have evidence of 'hazard beams'. Two branches arise from a recent wound resulting from failure in the storms earlier in the year. 8-9 inch diameter pruning cuts to be made. Crown lift the remaining crown by 2 metres.T2 - Cupressus macrocarpa - Prune the area marked in the plan, taking back from the building by 1.5 metres. Crown lift from the lawn area by 2 metres, and from the shrubbery on the other side of the road by 1.5 metres.T3 - Cupressus macrocarpa - Prune the area marked in the plan, taking back from the building by 1.5 metres. Crown lift the remaining crown by 1.5 metres, consisting mostly of drooping branches hanging lower than the body of the crown.
Delegated Decision	
Application Number: 22/1206/FUL	Delegation Briefing: 22/09/2022
Decision Type: Refuse Planning Permission	Date: 19/01/2023
Location Address: 45 Pennsylvania Road Exeter Devon EX4 6DB	
Proposal:	Construction of 2 storey rear extension (retrospective application).
Delegated Decision	
Application Number: 22/1208/LPD	Delegation Briefing:
Decision Type: Permission not required	Date: 31/10/2022
Location Address: 1 Sidwell Street Exeter Devon EX4 6NW	
Proposal:	Replacement of existing Rainscreen Cladding Panels (Trespa) with Rockpanel Premium Cladding System and associated steel fixing frame.
Delegated Decision	
Application Number: 22/1235/FUL	Delegation Briefing: 15/09/2022
Decision Type: Permitted	Date: 31/10/2022
Location Address: 31 Well Street Exeter Devon EX4 6QL	
Proposal:	Timber cladding on east, south and west elevations
Delegated Decision	
Application Number: 22/1297/FUL	Delegation Briefing: 20/10/2022
Decision Type: Permitted	Date: 08/12/2022
Location Address: 7 Elmbridge Gardens Exeter Devon EX4 4AE	
Proposal:	Replacement porch; two storey side extension.

Delegated Decision	
Application Number: 22/1325/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 12/01/2023
Location Address: Devonshire House Stocker Road Exeter Devon EX4 4PZ	
Proposal:	Three storey extension to the Student Guild department (south west wing) of Devonshire House to provide fire evacuation lift and protected lobbies (Revision of permitted application ref. 22/0294/FUL).
Delegated Decision	
Application Number: 22/1348/LPD	Delegation Briefing:
Decision Type: Withdrawn by Applicant	Date: 11/01/2023
Location Address: Rear Of 16 York Road Exeter Devon EX4 6BA	
Proposal:	INVALID Change from a Club Room to a Dog Day care Facility from 7.30am to 6pm Monday to Friday. Dog proof fencing will be erected from the front of the building to the rear.
Delegated Decision	
Application Number: 22/1362/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 06/01/2023
Location Address: 4A Thornton Hill Exeter Devon EX4 4NS	
Proposal:	Side and rear extension with new dormer window.
Delegated Decision	
Application Number: 22/1372/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 26/01/2023
Location Address: 61A Union Road Exeter Devon EX4 6HU	
Proposal:	The single tree is a mature Scots Pine - probably more than 100 years. It is in healthy condition. It has been lopped on on previous occasions. there are three large limbs that are overhanging the roof structures of 61 and 61A Union Road - some of the branch ends are touching the roof. Large amounts of fallen leaves are collecting in the gutters. As the gutters are high up, this blocking of the gutters is a problem. The trunk of the tree is located within the small garden of 61A Union Road. All the work can be carried out within the confines of 61 and 61A Union Road. there is adequate access for vehicle access, and adequate space for the safe lopping of the tree, and removal of branches. Work will be carried out by a licensed experienced tree surgeon.
Delegated Decision	
Application Number: 22/1402/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 06/01/2023
Location Address: 36 Argyll Road Exeter Devon EX4 4RY	
Proposal:	Single storey rear extension

Delegated Decision	
Application Number: 22/1443/FUL	Delegation Briefing: 03/11/2022
Decision Type: Permitted	Date: 05/12/2022
Location Address: 2 Pennsylvania Road Exeter Devon EX4 6BQ	
Proposal: Insertion of two windows to front elevation of an existing building and replacement of existing front windows to match.	
Delegated Decision	
Application Number: 22/1448/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 04/11/2022
Location Address: STREET RECORD Footpath From Addington Court To The Quadrangle Exeter Devon	
Proposal: Works:G1 - London Plane. Crown lift 3 no. of trees to 4m above ground level, maximum diameter of cut (MDC) 50mm. Remove deadwood and hanging branchesT4814 - London Plane. Reduce eastern aspect via thinning by 2m, MDC 40mm and crown lift to 4m above ground level MDC 50mm.T4816 - London Plane. Reduce eastern aspect via thinning by 2m, MDC 40mm and crown lift to 4m above ground level MDC 50mm.T4802 - London Plane. Remove major hazardous deadwood. T4798 - Lime. Prune away from lamp post to improve lighting splay and clear away from 20mph street sign. MDC 50mm G2 - Lime (tree numbers - 4789, 4788, 4800, 4805, 4803, 4801). Remove epicormic growth. T4800 - Lime. Remove major hazardous deadwood. Justification:London Plane trees 4814 & 4816 are now in close proximity to the balconies of properties of the Quadrangle, crown lifting of all 5 Plane trees to make uniform across the Quadrangle. Epicormic growth removal and above works are considered appropriate arboricultural management. Works:T4811 - Horse Chestnut. Fell to ground level. T1110 - Corsican Pine. Remove 1 length of deadwood overhanging access road, MDC 100mmJustification:Safety following arboricultural survey and report.	
Delegated Decision	
Application Number: 22/1450/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/11/2022
Location Address: 30 Powderham Crescent Exeter Devon EX4 6BZ	
Proposal: REMOVE CONIFER IN FRONT GARDEN	
Delegated Decision	
Application Number: 22/1473/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 14/12/2022
Location Address: Cowley Road Substation Birks Grange New North Road Exeter Devon EX4 4PQ	
Proposal: Alterations and extension to substation.	

Delegated Decision	
Application Number:	22/1502/LED
Decision Type:	Was lawful use
Location Address:	4 St James Terrace Exeter Devon EX4 6QH
Proposal:	Use of property as House of Multiple Occupation (HMO) (Class C4)
Delegated Decision	
Application Number:	22/1504/TPO
Decision Type:	Permitted
Location Address:	Rose Duryard Lower Argyll Road Exeter Devon EX4 4PB
Proposal:	T1137 Holm Oak - remove hanging branch over the drive entrance. Works required to prevent branch falling into the road. T1134 Wild Cherry - Reduce in height by approximately 3-4 m . Reduce primary stem on the south and west side of the canopy by 2-3m to suitable growth points. This action is to reduce the risk of damage to the surrounding properties should the tree fail and keep the tree for as long as possible due to the large wound and acoustic sounding at the base. T1135 Holm Oak - Reduce primary stem on the south side of the tree overhanging the the highway back to the previous pruning points to reduce wind loading on the branch union and cavity within the branch.
Delegated Decision	
Application Number:	22/1524/TPO
Decision Type:	Permitted
Location Address:	40 Old Tiverton Road Exeter Devon EX4 6NG
Proposal:	To Prune the tree in subject removing secondary and tertiary branches below the black and red hatched lines entered in the attached photograph titled Beech tree. 40 Old Tiverton Road; Exeter, EX4 6NG To increase the light penetration to the front of the property.

Delegated Decision	
Application Number: 22/1684/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2023
Location Address: 9 Howell Road Exeter Devon EX4 4LG	
Proposal:	Front garden1x Berberis- Fell to near ground level.Laurel - Trim annual growth and reduce in height to the adjacent berberis, approximately by 1m.Group of lilac and Holly - Remove two stems growing next to Lilac. Trim remaining Holly to uniform shape.Beech hedge - Trim annual growth from both sides and height.Rear garden1x Bay - Trim new growth to shape.2x Apple trees - Prune by approximately 2m to historic pruning points. Post pruning height will be 4m above ground level.
Delegated Decision	
Application Number: 22/1724/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2023
Location Address: Block Q Birks Halls New North Road Exeter Devon EX4 4GJ	
Proposal:	magnolia adjacent to building in birks, tree is restricted in situ, there are plans to develop the building as part of that UoE would like to prune and transport the magnolia to another location with in the site. this sprig post flowering we would like to reduce canopy by up to 2/3rds to encourage epicormic growth.In autumn to excavate the root place using an air spade. the tree will then be crane out of its location and placed in the new planting location to be specifiedtree will be angered with suitable ground system and ideal growing medium used making sure no air gaps in root plateClose monitoring and after care by UoE ground Staff
Delegated Decision	
Application Number: 23/0008/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 27/01/2023
Location Address: 9 Curlew Way Exeter Devon EX4 4SW	
Proposal:	T1 reduce holm oak in rear garden by approximately 3m (1m below previous cut points). Tree has excessive lean and split in limb. Reduction to remove excess weight and improve likely condition and longevity of tree.
Delegated Decision	
Application Number: 23/0025/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 17/01/2023
Location Address: Business School Rennes Drive Exeter Devon	
Proposal:	Discharge of conditions 4 (Remediation Scheme) of 19/1616/FUL

Exwick

Delegated Decision

Application Number: 22/0401/FUL Delegation Briefing: 07/04/2022
Decision Type: Refuse Planning Permission Date: 11/10/2022
Location Address: Kinnerton Court Kinnerton Way Exeter Devon EX4 2EZ
Proposal: Change of use of void area in existing residential apartment block to create one residential flat.

Delegated Decision

Application Number: 22/0413/DIS Delegation Briefing:
Decision Type: Condition(s) Fully Discharged Date: 07/10/2022
Location Address: Former Exwick Middle School Exwick Hill Exeter Devon EX4 2BG
Proposal: Discharge conditions 9 (Detailed Landscaping Scheme), 15 (Surface Water Drainage) and 17 (Pedestrian/Cycle Linkages/Facilities) of permission ref. 17/1788/OUT - Outline application for Residential development with vehicular access from Gloucester Road via Higher Exwick Hill (All detailed matters relating to access, appearance, landscaping, layout and scale of development reserved for future consideration).

Delegated Decision

Application Number: 22/0418/DIS Delegation Briefing:
Decision Type: Condition(s) Fully Discharged Date: 07/10/2022
Location Address: Former Exwick Middle School Exwick Hill Exeter Devon EX4 2BG
Proposal: Discharge conditions 5 (Electric Charging Points), 7 (Cycle Parking), 8 (Access), 9 (Staggered Barriers Details) and 10 (Pedestrian/Cycle Access Details) of permission ref. 19/1712/RES

Delegated Decision

Application Number: 22/0765/FUL Delegation Briefing: 01/09/2022
Decision Type: Permitted Date: 04/11/2022
Location Address: 8 Exwick Villas Exwick Road Exeter Devon EX4 2AS
Proposal: Ground floor rear and side extension and patio decking (Revised Plans).

Delegated Decision

Application Number: 22/0844/FUL Delegation Briefing: 07/07/2022
Decision Type: Permitted Date: 14/11/2022
Location Address: 6 Ely Close Exeter Devon EX4 2EY
Proposal: Two storey side annexe and single storey rear extension.

Delegated Decision			
Application Number:	22/0924/FUL	Delegation Briefing:	04/08/2022
Decision Type:	Withdrawn by Applicant	Date:	15/11/2022
Location Address:	5 Isleworth Road Exeter Devon EX4 1QU		
Proposal:	Creation of gable roof and ground floor side extension.		
Delegated Decision			
Application Number:	22/0946/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	04/11/2022
Location Address:	Haven Orchard Exwick Lane Exeter Devon EX4 2AP		
Proposal:	Use of the building as a single dwellinghouse (Certificate of lawfulness of existing use)		
Delegated Decision			
Application Number:	22/1084/FUL	Delegation Briefing:	08/09/2022
Decision Type:	Permitted	Date:	04/10/2022
Location Address:	Loweswater House Windermere Close Exeter Devon EX4 2QD		
Proposal:	Replacement of two communal external doors.		
Delegated Decision			
Application Number:	22/1197/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	04/10/2022
Location Address:	63 Burrator Drive Exeter Devon EX4 2EW		
Proposal:	Change of use from residential dwelling to a children's home providing care for up to two children living together as a single household (Use Class C3(b)).		
Delegated Decision			
Application Number:	22/1198/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	20/10/2022
Location Address:	8 Poppy Close Exeter Devon EX4 2NZ		
Proposal:	The proposed development is to convert the existing loft into a bedroom using a rear dormer with the addition of a new rear window, a velux window to the front, and a new internal staircase for access.		
Delegated Decision			
Application Number:	22/1291/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	21/10/2022
Location Address:	22 St Andrews Road Exeter Devon EX4 2AF		
Proposal:	G1 - Leylandii hedge/trees - reduce height by approx 50% and trim face to bring back into management.		

Delegated Decision	
Application Number: 22/1308/FUL	Delegation Briefing: 06/10/2022
Decision Type: Permitted	Date: 04/11/2022
Location Address: 19 Antonine Crescent Exeter Devon EX4 1SP	
Proposal: Single storey rear extension.	
Delegated Decision	
Application Number: 22/1342/CONR	Delegation Briefing: 03/11/2022
Decision Type: Permitted	Date: 06/01/2023
Location Address: Exwick Manor (formerly Mercer House) Exwick Road Exeter Devon EX4 2AT	
Proposal: Removal of condition 5 of Planning Permission Ref. 16/0918/FUL, granted on 19 January 2017, relating to improving the access onto Exwick Road.	
Delegated Decision	
Application Number: 22/1401/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 01/12/2022
Location Address: 5 Isleworth Road Exeter Devon EX4 1QU	
Proposal: 50 cubic meter loft extension to include bedroom and shower room.	
Delegated Decision	
Application Number: 22/1436/FUL	Delegation Briefing: 27/10/2022
Decision Type: Permitted	Date: 05/12/2022
Location Address: 21 High Meadows Exeter Devon EX4 1RL	
Proposal: Amendment to front porch.	
Delegated Decision	
Application Number: 22/1493/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 07/11/2022
Location Address: North Wing The Hermitage 20 Exwick Hill Exeter Devon EX4 2AQ	
Proposal: This application relates to the Ash trees on the Rackfield allotments site and are adjacent to my property. Please see the attached location sketches (Ash_trees_location3.jpg and Ash_trees_location4.jpg) These trees are overhanging my property, including an expensive summerhouse. The trees often shed branches which fall in to my garden. I am seeking permission to reduce the overhanging branches by 50%. In principle, the work should be carried out by the City Council, but I am assuming that there are no funds available for this work. As a result, I am reluctantly prepared to pay for this work. I intend to employ Greentrees Arboricultural Service Ltd to carry out the work. We have used this company regularly for nearly 30 years.	

Delegated Decision	
Application Number: 22/1547/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 10/01/2023
Location Address: 18 Lily Mount Exeter Devon EX4 2PL	
Proposal: Two storey side extension.	
Delegated Decision	
Application Number: 22/1741/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2023
Location Address: 5 Cleve Court Cleve Lane Exeter Devon EX4 2AR	
Proposal: T1 - Yew, crown lift to 2m above ground level by removing 3 west growing lateral limbs and smaller tertiary branches, maximum diameter of cut (MDC) 100mm. Trim upper canopy back and reduce height by up to 1m. T2 - Yew, crown lift to 2m above ground level (mainly to the south), remove 1 limb at 100mm MDC and smaller branches MDC 60mm. Trim back upper canopy and reduce height by up to 1m. T3 - Rowan, fell to ground level Reason for works: Works to T1 & T2 are appropriate management for trees that are starting to dominate the small garden. T3 has been subjected to repeated strimmer/mower damage and is declining in health, showing low vigour and is generally in poor health physiologically. The owner is looking to replace this tree following landscape design.	
Heavitree	
Committee Decision	
Application Number: 21/0835/FUL	Delegation Briefing: 06/01/2022
Decision Type: Permitted	Date: 25/11/2022
Location Address: 47 Homefield Road Exeter Devon EX1 2QR	
Proposal: Conversion of Locally Listed main school building and Chapel, including demolition of redundant classrooms and outbuildings, alterations and extensions to retained buildings. Provision of two new residential units to retain one unit of accommodation and create 25 new residential units of accommodation (Revised plans).	
Delegated Decision	
Application Number: 22/0163/FUL	Delegation Briefing: 28/04/2022
Decision Type: Permitted	Date: 12/10/2022
Location Address: 105 Chard Road Exeter Devon EX1 3AS	
Proposal: Two-storey extension to provide 8 no. one and two-bedroom flats, retention of existing ground floor commercial premises, alterations to roof and associated landscaping.	
Delegated Decision	
Application Number: 22/0409/FUL	Delegation Briefing: 14/04/2022
Decision Type: Permitted	Date: 02/11/2022
Location Address: 95 Fore Street Heavitree Exeter Devon EX1 2RN	
Proposal: Conversion of existing ground floor shop into residential, and two storey rear extension.	

Delegated Decision	
Application Number:	22/0702/FUL
Delegation Briefing:	02/06/2022
Decision Type:	Permitted
Date:	14/10/2022
Location Address:	50-52 Fore Street Heavitree Exeter Devon EX1 2QL
Proposal:	Demolition of various structures at the rear of the building, construction of new fire escape stair and wheelchair ramp, new window on rear elevation, new landscape paving finishes
Delegated Decision	
Application Number:	22/0703/LBC
Delegation Briefing:	02/06/2022
Decision Type:	Permitted
Date:	14/10/2022
Location Address:	50-52 Fore Street Heavitree Exeter Devon EX1 2QL
Proposal:	Demolition of various structures at the rear of the building, construction of new fire escape stair and wheelchair ramp, new window on rear elevation, new landscape paving finishes
Delegated Decision	
Application Number:	22/0941/FUL
Delegation Briefing:	18/08/2022
Decision Type:	Permitted
Date:	04/10/2022
Location Address:	3 Sherwood Close Exeter Devon EX2 5DX
Proposal:	Side and rear single storey extension.
Delegated Decision	
Application Number:	22/0994/FUL
Delegation Briefing:	03/11/2022
Decision Type:	Permitted
Date:	29/11/2022
Location Address:	18 North Avenue Exeter Devon EX1 2DU
Proposal:	Replacement two and one storey extensions to the rear
Delegated Decision	
Application Number:	22/1051/FUL
Delegation Briefing:	25/08/2022
Decision Type:	Permitted
Date:	03/11/2022
Location Address:	40 Polsloe Road Exeter Devon EX1 2DN
Proposal:	Change of use from dwelling to 12-bed house in multiple occupation. Replacement single-storey rear extensions, and parking area within existing rear yard.

Delegated Decision	
Application Number: 22/1053/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 22/11/2022
Location Address: St Michaels Ce Primary School South Lawn Terrace Exeter Devon EX1 2SN	
Proposal:	We wish to remove 1 x Ash tree that is leaning towards neighbouring properties and pollard 5 Others that reduce the light to the neighbouring properties. Trees to be pollarded are Ash, Field Maple and Silver birch. Trees are identified on attached aerial image. Green dot marks Ash to be removed and purple dots are trees to be po9llarded. Neighbours have been requesting works due to reduced light to their gardens. We have had a number of visits from tree specialists and have now agreed an affordable option that suits both school and neighbours. Quote from Tree specialist attached to application
Delegated Decision	
Application Number: 22/1077/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 12/01/2023
Location Address: 44 Sweetbrier Lane Exeter Devon EX1 3AF	
Proposal:	Replace existing detached garage with outbuilding.
Delegated Decision	
Application Number: 22/1194/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 20/10/2022
Location Address: 24 Saxon Road Exeter Devon EX1 2TD	
Proposal:	Construction of a small single storey rear extension to form a new study for the property. Also, internal alterations to form a new ground floor toilet room.
Delegated Decision	
Application Number: 22/1294/FUL	Delegation Briefing: 29/09/2022
Decision Type: Permitted	Date: 10/11/2022
Location Address: 16 Third Avenue Heavitree Exeter Devon EX1 2PJ	
Proposal:	Existing single garage to become annex to main house.
Delegated Decision	
Application Number: 22/1445/TPO	Delegation Briefing:
Decision Type: Refuse Planning Permission	Date: 04/11/2022
Location Address: The Lodge Heavitree Park Exeter Devon EX1 3BP	
Proposal:	To reduce in height the trees surrounding The Lodge Heavitree Park EX1 3BP

Delegated Decision	
Application Number: 22/1457/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 15/12/2022
Location Address: 91 Ladysmith Road Exeter Devon EX1 2PS	
Proposal: Certificate of lawfulness for house in multiple occupation (C4 use) for four residents	
Delegated Decision	
Application Number: 22/1508/LPD	Delegation Briefing:
Decision Type: Permitted	Date: 02/11/2022
Location Address: 59 Roseland Avenue Exeter Devon EX1 2TN	
Proposal: Rear dormer roof extension and roof lights	
Delegated Decision	
Application Number: 22/1525/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 02/11/2022
Location Address: Bramdean School Homefield Road Exeter Devon EX1 2QR	
Proposal: Works to trees in old school sports field:T296 - Lime - Pollard to fence height.T7 - Sycamore - 50% crown die back - remove tree and re-plant.G2 G3 - Sycamore □ Horse Chestnut. Crown roadside to approx 5.5m above ground level.G4 - Crown raise to approx. 5.5m AGL - clear to BT Pole and wires to give 2/3m clearance.	
Delegated Decision	
Application Number: 22/1538/LPD	Delegation Briefing:
Decision Type: Permitted	Date: 09/11/2022
Location Address: 6 Vaughan Road Exeter Devon EX1 3DH	
Proposal: Rear extension on the ground floor.	
Delegated Decision	
Application Number: 22/1688/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2023
Location Address: 12 Salutory Mount Fore Street Heavitree Exeter Devon	
Proposal: T1 - Ash. Dismantle to ground level T2 - Ash. Dismantle to ground levelReason for works:Both trees exhibit substantial decay and bark necrosis at the base of the trees, concerns over stability. The two trees are not considered suitable for remedial works or long-term retention. The property owner is looking to replant with two Sorbus aucuparia	
Delegated Decision	
Application Number: 22/1708/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 23/01/2023
Location Address: 37 Chard Road Exeter Devon EX1 3AY	
Proposal: rear extension and demolition of outhouse	

Mincinglake And Whipton

Delegated Decision

Application Number: 22/0923/FUL Delegation Briefing: 04/08/2022
Decision Type: Permitted Date: 20/10/2022
Location Address: 16 Honeylands Way Exeter Devon EX4 8QR
Proposal: Proposed first floor side extension.

Delegated Decision

Application Number: 22/0925/FUL Delegation Briefing: 28/07/2022
Decision Type: Refuse Planning Permission Date: 09/01/2023
Location Address: 54 Bettys Mead Exeter Devon EX4 8LN
Proposal: Proposed rear ground floor extension to form bathroom and store room.

Delegated Decision

Application Number: 22/0938/FUL Delegation Briefing: 14/07/2022
Decision Type: Permitted Date: 24/11/2022
Location Address: Cheynegate House Cheynegate Lane Exeter Devon EX4 9HZ
Proposal: Change of use of agricultural field to dog exercise use.

Delegated Decision

Application Number: 22/1066/FUL Delegation Briefing: 11/08/2022
Decision Type: Permitted Date: 06/10/2022
Location Address: Whipton Hospital Hospital Lane Exeter Devon EX1 3RB
Proposal: Proposed Generator.

Delegated Decision

Application Number: 22/1185/FUL Delegation Briefing: 15/09/2022
Decision Type: Permitted Date: 25/10/2022
Location Address: 51 Fox Road Exeter Devon EX4 8NB
Proposal: Side and rear wrap around single storey extension.

Delegated Decision

Application Number: 22/1316/LPD Delegation Briefing:
Decision Type: Refuse Planning Permission Date: 05/10/2022
Location Address: 48 Fox Road Exeter Devon EX4 8ND
Proposal: Single storey rear extension.

Delegated Decision

Application Number: 22/1346/FUL Delegation Briefing:
Decision Type: Permitted Date: 17/01/2023
Location Address: 1 Gareth Crescent Exeter Devon EX4 9EJ
Proposal: Retrospective Tarmac driveway at front of property.

Delegated Decision	
Application Number: 22/1435/LPD	Delegation Briefing:
Decision Type: Permitted	Date: 18/10/2022
Location Address: 48 Fox Road Exeter Devon EX4 8ND	
Proposal: Erection of a Single Storey Extension to rear	
Delegated Decision	
Application Number: 22/1461/FUL	Delegation Briefing: 03/11/2022
Decision Type: Permitted	Date: 20/12/2022
Location Address: 40 Brookside Crescent Exeter Devon EX4 8NE	
Proposal: Side extension, replacement garage and provision of side porch. Amendments to approved rear dormer and gable ends	
Delegated Decision	
Application Number: 22/1487/FUL	Delegation Briefing:
Decision Type: Permission not required	Date: 18/11/2022
Location Address: 2 Fouracre Close Exeter Devon EX4 8LS	
Proposal: INVALID (No SLP, CIL Form 1 or plans, insufficient fee) - I would like to change the purpose of use of my outbuilding sue generis as I want to run my business canine fertility clinic from this outbuilding no need for water or drainage and I have cladded the inside and tiled the floor there is electric already installed so its just change of purpose. PP MAY NOT BE REQUIRED.	
Delegated Decision	
Application Number: 22/1529/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 29/12/2022
Location Address: 3 Heath Brook Mews Beacon Heath Exeter Devon EX4 8QA	
Proposal: Kitchen extension.	
Delegated Decision	
Application Number: 22/1553/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 03/01/2023
Location Address: 10 Lamacraft Drive Exeter Devon EX4 8QS	
Proposal: Single storey rear extension and landscaping works including pond in the rear garden.	
Delegated Decision	
Application Number: 22/1660/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 04/01/2023
Location Address: Asu (additional Support Unit) Hospital Lane Exeter Devon EX1 3RB	
Proposal: RELOCATION OF HOSPITAL GENERATOR WITH ADDITIONAL WORKS.	

Delegated Decision	
Application Number:	22/1661/LPD
Decision Type:	Was lawful use
Location Address:	33 Brookside Crescent Exeter Devon EX4 8NE
Proposal:	Replacement rear extension, enlarged rear dormer and associated alterations.

Newtown And St Leonards

Delegated Decision	
Application Number:	21/1153/FUL
Decision Type:	Permitted
Location Address:	39 Clifton Road Exeter Devon EX1 2BL
Proposal:	Two new dwellings and associated landscaping

Delegated Decision	
Application Number:	22/0444/FUL
Decision Type:	Refuse Planning Permission
Location Address:	Land Adjacent To 3 Gladstone Road Exeter Devon EX1 2EE
Proposal:	Demolition of garages and construction of one house.

Delegated Decision	
Application Number:	22/0557/DIS
Decision Type:	Condition(s) Fully Discharged
Location Address:	Ambulance Station Gladstone Road Exeter Devon EX1 2EB
Proposal:	Discharge of Condition 10 (SAP Calculations), Condition 13 (Obscured Glazing), Condition 14 (Nesting Birds) of application 19/1417/FUL

Delegated Decision	
Application Number:	22/0626/FUL
Decision Type:	Permitted
Location Address:	30-32 Heavitree Road Exeter Devon EX1 2LQ
Proposal:	HMO Change of use from 16 bed (Sui Generis) to 18 bed (Sui Generis).

Delegated Decision	
Application Number:	22/0799/FUL
Decision Type:	Refuse Planning Permission
Location Address:	20 St Leonards Road Exeter Devon EX2 4LA
Proposal:	Replacement first floor side and rear extensions, repositioning of portico and associated alterations.

Delegated Decision	
Application Number:	22/0800/LBC
Delegation Briefing:	23/06/2022
Decision Type:	Refuse Planning Permission
Date:	13/10/2022
Location Address:	20 St Leonards Road Exeter Devon EX2 4LA
Proposal:	Replacement first floor side and rear extensions, repositioning of portico and associated alterations.
Delegated Decision	
Application Number:	22/0856/FUL
Delegation Briefing:	11/08/2022
Decision Type:	Permitted
Date:	03/11/2022
Location Address:	11 Clifton Hill Exeter Devon EX1 2DL
Proposal:	Installation of greenhouse (retrospective).
Delegated Decision	
Application Number:	22/0904/FUL
Delegation Briefing:	07/07/2022
Decision Type:	Permitted
Date:	18/10/2022
Location Address:	St Leonards Church Hall Roberts Road Exeter Devon EX2 4HD
Proposal:	Change of use to create one dwelling and separate architect's studio (Use Class E), and associated works including insertion of dormer windows, new chimney stacks, new railings and associated landscaping
Delegated Decision	
Application Number:	22/0912/ADV
Delegation Briefing:	14/07/2022
Decision Type:	Permitted
Date:	14/10/2022
Location Address:	Jurys Inn Western Way Barnfield Exeter Devon EX1 2DB
Proposal:	Installation of various illuminated and non-illuminated signage.
Delegated Decision	
Application Number:	22/1069/FUL
Delegation Briefing:	08/09/2022
Decision Type:	Permitted
Date:	16/12/2022
Location Address:	7 St Leonards Road Exeter Devon EX2 4LA
Proposal:	Multiple works; alterations to front boundary wall, addition of a dormer, single story rear extension to replace existing, detached outbuilding and associated landscaping, Internal alterations.
Delegated Decision	
Application Number:	22/1070/LBC
Delegation Briefing:	08/09/2022
Decision Type:	Permitted
Date:	16/12/2022
Location Address:	7 St Leonards Road Exeter Devon EX2 4LA
Proposal:	Multiple works; alterations to front boundary wall, addition of a dormer, single story rear extension to replace existing, detached outbuilding and associated landscaping, Internal alterations.

Delegated Decision	
Application Number: 22/1110/FUL	Delegation Briefing: 25/08/2022
Decision Type: Permitted	Date: 22/11/2022
Location Address: 5 Barnardo Road Exeter Devon EX2 4ND	
Proposal: Retention of single storey rear extension, change of use of land to additional residential garden.	
Delegated Decision	
Application Number: 22/1164/FUL	Delegation Briefing: 29/09/2022
Decision Type: Permitted	Date: 10/01/2023
Location Address: 35 Magdalen Road Exeter Devon EX2 4TA	
Proposal: Change of use from launderette to restaurant and takeaway, and alterations to shopfront.	
Delegated Decision	
Application Number: 22/1165/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 09/01/2023
Location Address: 38 Elmside Exeter Devon EX4 6LN	
Proposal: Retention of use of house as HMO. Property has been continuously let since 2006.	
Delegated Decision	
Application Number: 22/1179/FUL	Delegation Briefing: 15/09/2022
Decision Type: Permitted	Date: 24/10/2022
Location Address: 95 Portland Street Exeter Devon EX1 2EG	
Proposal: Single storey rear extension.	
Delegated Decision	
Application Number: 22/1213/FUL	Delegation Briefing: 13/10/2022
Decision Type: Permitted	Date: 22/11/2022
Location Address: 38 Marlborough Road Exeter Devon EX2 4TJ	
Proposal: Proposed garage and office annexe.	
Delegated Decision	
Application Number: 22/1221/FUL	Delegation Briefing: 13/10/2022
Decision Type: Permitted	Date: 02/12/2022
Location Address: 2 Raleigh Road Exeter Devon EX1 1TQ	
Proposal: Change of use from dwelling (Class C3) to seven-bedroom HMO (Class Sui Generis).	

Delegated Decision	
Application Number: 22/1230/FUL	Delegation Briefing: 13/10/2022
Decision Type: Permitted	Date: 01/12/2022
Location Address: Westering Matford Road Exeter Devon EX2 4PE	
Proposal: Single storey extension to existing bungalow, replacement garage and widening of driveway.	
Delegated Decision	
Application Number: 22/1237/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 19/10/2022
Location Address: 60 Cedars Road Exeter EX2 4NA	
Proposal: Single storey rear extension measuring 4.7m deep, maximum height 4m and height of eaves 3.1m.	
Delegated Decision	
Application Number: 22/1242/FUL	Delegation Briefing: 13/10/2022
Decision Type: Permitted	Date: 01/12/2022
Location Address: 18 Denmark Road Exeter Devon EX1 1SL	
Proposal: Construction of wooden garage in rear garden.	
Delegated Decision	
Application Number: 22/1268/HED	Delegation Briefing:
Decision Type: Permitted	Date: 07/10/2022
Location Address: Trenton Matford Road Exeter Devon EX2 4PE	
Proposal: Removal of existing Leylandii hedge in order to replace it with native hedgerow species more suited to general wildlife.	
Delegated Decision	
Application Number: 22/1275/DIS	Delegation Briefing:
Decision Type: Condition(s) Partially Approved	Date: 03/01/2023
Location Address: The Gorge Gladstone Road Exeter Devon EX1 2EB	
Proposal: Discharge conditions 12 (materials) , 15 (external lighting), 16 (noise mitigation), 17 (CCTV), 20 (cycle parking), 23 (bin store) and 24 (detailed landscaping scheme) of permission ref. 19/1417/FUL - Demolition of existing buildings and redevelopment of site to provide co-living accommodation with associated accesses/egresses, landscaping and other external works (Revised Scheme).	

Delegated Decision	
Application Number: 22/1282/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 01/10/2022
Location Address: 16 Premier Place Exeter Devon EX2 4LB	
Proposal:	There is a large birch type tree in my small back garden at the bottom (photos attached) which is now too big and is dying back it seems from the lower elevations. In 2019 I got agreement (attached to this application) to fell this but nothing was done at the time and its now expired. I want to reduce this by a few metres from its maximum height this autumn to try and encourage more healthy re-growth. My previous application was 19/1257/CAT. Please note that you can only view the tree from St Petrocks Close which is off the Wonsford Rd as there is only access through the house to the back garden.
Delegated Decision	
Application Number: 22/1285/LPD	Delegation Briefing:
Decision Type: Refuse Planning Permission	Date: 05/10/2022
Location Address: 19 Matford Avenue Exeter Devon EX2 4PL	
Proposal:	Full width rear dormer.
Delegated Decision	
Application Number: 22/1289/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 01/10/2022
Location Address: 8 Clifton Road Exeter Devon EX1 2BR	
Proposal:	T1 - Apple - Remove the three major vertical stems arising from the primary lateral branches; diameter cuts of 6, 4, and 3 inch. T2 - Greengage - Prune to gain a 6-inch clearance from the wall. T3 - Cherry tree: Fell
Delegated Decision	
Application Number: 22/1338/LBC	Delegation Briefing:
Decision Type: Withdrawn by Applicant	Date: 25/10/2022
Location Address: 52 St Leonards Road Exeter Devon EX2 4LS	
Proposal:	Installation of solar panels on roof
Delegated Decision	
Application Number: 22/1341/FUL	Delegation Briefing: 27/10/2022
Decision Type: Permitted	Date: 12/12/2022
Location Address: 10 Manston Terrace Exeter Devon EX2 4NP	
Proposal:	Removal of existing porch and external staircase, new windows, new roof to sunroom and replacement external gate

Delegated Decision	
Application Number: 22/1351/FUL	Delegation Briefing: 03/11/2022
Decision Type: Permitted	Date: 16/01/2023
Location Address: Flat 2 79 Polsloe Road Exeter Devon EX1 2NF	
Proposal: Single storey extension to the rear (Revised plans).	
Delegated Decision	
Application Number: 22/1353/FUL	Delegation Briefing: 20/10/2022
Decision Type: Permitted	Date: 24/01/2023
Location Address: Sorry Head 10 Blackboy Road Exeter Devon EX4 6SG	
Proposal: Retrospective application to rebuild the front facade of The Sorry Head public house at first and second floor using reclaimed bricks and alterations to windows on rear elevation (Revised plans).	
Delegated Decision	
Application Number: 22/1356/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 12/01/2023
Location Address: Lahill Matford Road Exeter Devon EX2 4PE	
Proposal: Rear extension and replacement of existing rear extension roof. Alterations to the front elevation and internal reconfigurations as part of refurbishment works. Installation of rear garden Pod, constructed of timber cladding to match the main property.	
Delegated Decision	
Application Number: 22/1425/FUL	Delegation Briefing: 27/10/2022
Decision Type: Permitted	Date: 20/01/2023
Location Address: 19 Matford Avenue Exeter Devon EX2 4PL	
Proposal: Rear dormers/roof extension.	

Delegated Decision

Application Number: 22/1429/CAT

Delegation Briefing:

Decision Type: Permitted

Date: 07/11/2022

Location Address: 32 Spicer Road Exeter Devon EX1 1TA

Proposal: We have recently bought no 32 Spicer Road EX1 1TA and wish to amend the garden design, in order to provide beds for growing fruit and vegetables, and planting fruit trees, other small native tree species and flowering shrubs. In order to do this we wish to apply to remove a number of conifers ??? mainly elwoodii. ??? Plan 1 shows the whole site, including the location of Spicer Road itself, and the location of the neighbouring nos 30 and 34 Spicer Road. The back gardens are south facing, and walled. South of the rear wall of no 32 there is part of the rear yard of The Common Beaver coffee house on Magdalen Road, and an area covered by Exeter Small Automatics (used car dealer) also on Magdalen Road. ??? Plan 1 shows the location of the trees we wish to remove, which we have numbered T1 to T7, as well other features of the current garden design ??? front and back. ??? In the back garden are T1 ??? elwoodii; T2 ??? elwoodii; T3 ??? elwoodii; and T4 ??? some type of cypress. T1 to T3 are all dense to the ground, between 1 and 2 metres in circumference and around 3 to 4 metre high (having been topped off), as shown in Photo 1 and Photo 2. They are all about 4 metres from the house. The tops of them are visible (over the wall) from Magdalen Road, where they can be seen as rather ugly square blocks of dense conifer ??? see Photo 3. T4 is rather straggly and does not look in the best of health. See Photo 2 and Photo 4. We wish to replace these four trees with small fruit trees, flowering / fruiting shrubs (eg chaenomeles) and possibly one larger tree - birch or sorbus or other if advised by you. We would also build raised beds for vegetables and soft fruit. There are a couple of established roses, a jasmine, a pyrocantha, a camellia and one or two other shrubs that we would retain. ??? In the front garden, along the wall fronting Spicer Road, are T5 ??? elwoodii; T6 ??? elwoodii; and T7 ??? some other similar type of chamaecyparis. See Photo 5. T

Delegated Decision

Application Number: 22/1474/NMA

Delegation Briefing:

Decision Type: Permitted

Date: 09/12/2022

Location Address: The Gorge Gladstone Road Exeter Devon EX1 2EB

Proposal: Non material amendment to the wording of planning condition 18 (timescale for the completion of the highway works) relating to planning permission 19/1417/FUL

Delegated Decision

Application Number: 22/1475/LBC

Delegation Briefing:

Decision Type: Permitted

Date: 30/01/2023

Location Address: 63 Marlborough Road Exeter Devon EX2 4LN

Proposal: Repairs to the front veranda and balcony, including replacement of rotten wood.

Delegated Decision	
Application Number: 22/1483/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 20/01/2023
Location Address: 7 - 9 Blackboy Road Exeter Devon EX4 6SG	
Proposal: Temporary use for short term residential accommodation (C3 use) until September 2023.	
Delegated Decision	
Application Number: 22/1484/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 07/11/2022
Location Address: Morford House St Margarets Residences Magdalen Road Exeter Devon	
Proposal: We request to carry out a crown reduction of the tree identified on the attached information as (T10). This is to enable safe erection of a scaffold gantry as part of the construction works to Mordford/school house.	
Delegated Decision	
Application Number: 22/1491/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 04/11/2022
Location Address: 36 Fairpark Road Exeter Devon EX2 4HL	
Proposal: Bay and pittosporum adjacent to house - Prune pittosporum to previous points. Reduce height of bay to match pittosporum and trim face. Pittosporum with hollow stem - Dismantle leaving main stem at 2m above ground level. Pittosporum situated at bottom of garden - Reduce to previous pruning points. Remove self set bay. Clear fallen bay stem. Coppice remaining bay to 1m in height. All works required are routine maintenance to prevent the specimens outgrowing their positions.	
Delegated Decision	
Application Number: 22/1492/FUL	Delegation Briefing: 03/11/2022
Decision Type: Permitted	Date: 15/12/2022
Location Address: 35 East Grove Road Exeter Devon EX2 4LX	
Proposal: New rear infill extension, loft conversion and internal alterations.	
Delegated Decision	
Application Number: 22/1494/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 10/01/2023
Location Address: 27 College Road Exeter Devon EX1 1TG	
Proposal: Change the ground floor window on the East Elevation of the extension to a garage door.	

Delegated Decision	
Application Number: 22/1496/CAT	Delegation Briefing:
Decision Type: Withdrawn by Applicant	Date: 01/12/2022
Location Address: Beech House 157-159 Magdalen Road Exeter Devon EX2 4TT	
Proposal:	There are two Sycamore tree's at the rear of the property, both of which are causing issues to the wall which borders the pavement on Heavitree road. Requesting to dismantle and remove both down to ground level.
Delegated Decision	
Application Number: 22/1498/FUL	Delegation Briefing: 10/11/2022
Decision Type: Permitted	Date: 21/12/2022
Location Address: 10 Magdalen Road Exeter Devon EX2 4SY	
Proposal:	Change of roof detail to front elevation to provide enlarged first floor bathroom, plus additional window.
Delegated Decision	
Application Number: 22/1505/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 01/12/2022
Location Address: 1 Claremont Grove Exeter Devon EX2 4LY	
Proposal:	The tree is a Leylandii, that has grown fast, as is its nature but, due to the surrounding trees has been light starved and therefore has no, or very limited foliage on lower portion of the trunk, it restricts the light entering the property and given time is likely to disrupt the growth of the surrounding trees. We are proposing to remove this tree completely, we are renovating this bed with fresh planting and revitalising the soil to boost the nutrient levels for healthy growth of the other trees and new planting. In order to maintain this healthy environment, it would benefit all plants by removing the Leylandii as this species of tree rapidly depletes the surrounding soil of nutrients and water, resulting in detrimental conditions for other planting. In keeping with the property we will be planting Taxus baccata (English Yew) and a number of Betula utilis (White Birch), along with a mixture of shade tolerant flowering perennials and other shrubs. The aim is to re-establish an attractive entranceway, improving the biodiversity and creating a wildlife friendly environment. The work will be carried out by a fully qualified, licensed company (Hi-Line) in an appropriate manner.
Delegated Decision	
Application Number: 22/1514/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/11/2022
Location Address: 36 Spicer Road Exeter Devon EX1 1TA	
Proposal:	Tree species : Lawson Cypress (Chamaecyparis lawsoniana) It is proposed to remove the tree and grind away the stump. Reason: Causes excessive shading and has low amenity value.

Delegated Decision	
Application Number: 22/1534/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 20/12/2022
Location Address: 16 Wayland Avenue Exeter Devon EX2 4PR	
Proposal: Loft conversion with rear dormer, demolition of existing garage and landscaping to including new car parking area.	
Delegated Decision	
Application Number: 22/1543/FUL	Delegation Briefing:
Decision Type: Withdrawn by Applicant	Date: 01/12/2022
Location Address: 123 Sidwell Street Exeter Devon EX4 6RY	
Proposal: Change of use from a1 retail shop to Taxi Cab Office (Sui Generis).	
Delegated Decision	
Application Number: 22/1559/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 20/12/2022
Location Address: 153 Topsham Road Exeter Devon EX2 4SQ	
Proposal: Formation of new access and driveway onto Topsham Road	
Delegated Decision	
Application Number: 22/1573/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/11/2022
Location Address: Haldon Court 4 Manston Terrace Exeter Devon EX2 4NP	
Proposal: T1 - Ash - Fell	
Delegated Decision	
Application Number: 22/1578/DIS	Delegation Briefing:
Decision Type: Condition(s) Partially Approved	Date: 20/12/2022
Location Address: Clifton Hill Sports Centre Clifton Hill Exeter Devon EX1 2DJ	
Proposal: Discharge conditions: 3 Archaeology, 4 Waste Audit Statement (Demolition Stage), 7 Ground Contamination Remediation, 8 CEMP (Demolition Stage Only) 22/0365/VOC.	
Delegated Decision	
Application Number: 22/1594/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2023
Location Address: 1 Magdalen Place Exeter Devon EX2 4AG	
Proposal: Installation of solar PV panels on roof.	

Delegated Decision	
Application Number: 22/1602/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 02/12/2022
Location Address: Maynard School For Girls Denmark Road Exeter Devon EX1 1SJ	
Proposal: T11 Ash. FellT41 Lime. Re-pollard	
Delegated Decision	
Application Number: 22/1615/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 25/11/2022
Location Address: Morford House St Margarets Residences Magdalen Road Exeter Devon	
Proposal: We request to carry out a crown reduction of the tree identified on the attached information as (T10). This is to enable safe erection of a scaffold gantry as part of the construction works to Mordford/school house.	
Delegated Decision	
Application Number: 22/1623/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 01/12/2022
Location Address: 24 Lyndhurst Road Exeter Devon EX2 4PA	
Proposal: T1 - Silver Birch - Dismantle to near ground level. This mature birch tree is a lapsed pollard. It has numerous competitive leaders from the crown break at three metres one of which recently failed damaging the roof of neighbouring property and BT lines. Due to its age, location and condition it is recommended for removal.	
Delegated Decision	
Application Number: 22/1624/LBC	Delegation Briefing:
Decision Type: Permitted	Date: 09/01/2023
Location Address: Flat 1 19 Victoria Park Road Exeter Devon EX2 4NT	
Proposal: Replacement kitchen window, utility and sitting room doors and re-glazing of bathroom window.	
Delegated Decision	
Application Number: 22/1626/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 01/12/2022
Location Address: 17 Victoria Park Road Exeter Devon EX2 4NT	
Proposal: T1 - Lawson cypress tree - Selected lateral branches that have (or are becoming) vertical leaders to be shortened by up to 1 metre. There are maybe only three of these, and are identifiable by their elbow shaped appearance, arising laterally from the main stem and straitening up to become vertical leading growth. Shorten back the remaining lateral branches by up to 15-20%, taking weight from the weightier growth.	

Delegated Decision	
Application Number:	22/1649/LPD
Decision Type:	Was lawful use
Location Address:	41 Blackboy Road Exeter Devon EX4 6SZ
Proposal:	The internal remodelling of the ground floor of the house and the formation of new bi-fold patio doors in the rear wall of the new dining room and a pair of patio doors in the rear wall of the new kitchen.Changing the existing utility room patio doors to a window.Creating a glazed roof over a small courtyard area.Changing all of the existing single glazed timber framed windows for new double glazed PVCu framed windows.
Delegated Decision	
Application Number:	22/1665/TPO
Decision Type:	Permitted
Location Address:	8 St Leonards Road Exeter Devon EX2 4LA
Proposal:	Yew Tree remove branches that sit below the 5.2m limit and make the shape of the tree balanced
Delegated Decision	
Application Number:	22/1670/LPD
Decision Type:	Was lawful use
Location Address:	8 Wonford Road Exeter Devon EX2 4EQ
Proposal:	Install a conservation rooflight into the two bedrooms on the second floor
Delegated Decision	
Application Number:	22/1678/TPO
Decision Type:	Permitted
Location Address:	1 Veitch Close St Leonards Exeter Devon EX2 4AF
Proposal:	Ash, cut back re-growth to old cuts from previous crown reduction. maximum diameter of cuts 75mm
Delegated Decision	
Application Number:	22/1695/NMA
Decision Type:	Permitted
Location Address:	27 College Road Exeter Devon EX1 1TG
Proposal:	Increase size of south facing, ground floor window to improve functionality of light and ventilation
Delegated Decision	
Application Number:	22/1709/CAT
Decision Type:	Permitted
Location Address:	St Leonards Church Topsham Road Exeter Devon EX2 4NG
Proposal:	T1 - Sycamore abutting the corner of the church - Fell- not adjacent Ash

Delegated Decision	
Application Number:	22/1710/CAT
Decision Type:	Permitted
Location Address:	2 Wonford Road Exeter Devon EX2 4EQ
Proposal:	T1 Silver Birch and T2 Cotoneaster remove to ground level in order to facilitate extension for which permissions have already been obtained.

Delegated Decision	
Application Number:	22/1729/TPO
Decision Type:	Permitted
Location Address:	Exeter School Victoria Park Road Exeter Devon EX2 4NS
Proposal:	T1. Maple. Remove lowest limbs growing over NHS parking area To achieve a 4.5 ground clearance to allow for taller vehicles. Remove any dead wood in crown that could fall in this area.

Pennsylvania

Delegated Decision	
Application Number:	21/1495/FUL
Decision Type:	Permitted
Location Address:	The Old Coal Yard Exmouth Junction Mount Pleasant Road Exeter Devon EX4 7AE
Proposal:	Construct a part 4, part 5 storey building containing residential units (Use Class C3) with associated access, parking, landscaping and infrastructure works, forming part of a larger site granted Outline Planning Permission Ref: 19/0650/OUT.

Delegated Decision	
Application Number:	22/0755/NMA
Decision Type:	Permitted
Location Address:	Exmouth Junction Gateway Site Prince Charles Road Exeter Devon
Proposal:	Non-material amendments to planning permission 20/1187/FUL to:- Reduction of floor to ceiling heights by circa 800mm in total (corridors to remain at 2300mm and flats at 2400mm min.) and reduction in the height of parapets by 1.36m. - Reduction of window openings from 2400mm to 2240mm. - Simplification of northern entrance and introduction of external steps. - Changes to internal layout, including flat layouts (no change to the unit mix proposed) and reduction of the overall building footprint. - Removal of triangular single storey structure on western elevation. Water tank with a timber slatted enclosure to be positioned in this location.By replacing drawings: - Proposed Site Plan (20001 (03)-S-001) with 20001-PL001_PL-01-Proposed Site Plan - Proposed Ground Floor Plan (20001 (03)-P-0G0 REV 03) with 20001-PL100_PL-01-Proposed Ground Floor Plan - Proposed 1st + 2nd Floor Plan (20001 (03)-P-001 Rev 04) with 20001-PL101_PL-01-Proposed First and Second Floor Plan - Proposed 3rd Floor Plan (20001 (03)-P-003 Rev 04) with 20001-PL103_PL-01-Proposed Third Floor Plan - Proposed 4th & 5th Floor Plan (20001 (03)-P-004 Rev 04) with 20001-PL104_PL-01-Proposed Fourth Floor Plan - Proposed Roof Plan (20001 (03)-P-0R0 Rev 02) with 20001-PL105_PL-01-Proposed Roof Plan - Proposed SE Elevation (20001 (03)-E-001 Rev 04) with 20001-PL201_PL-01-Proposed South East Elevation - Proposed SW Elevation (20001 (03)-E-002 Rev 04) with 20001-PL202_PL-01-Proposed South West Elevation - Proposed West Elevation (20001 (03)-E-003 Rev 04) with 20001-PL203_PL-01-Proposed West Elevation - Proposed NE Elevation (20001 (03)-E-004 Rev 04) with 20001-PL204_PL-01-Proposed North East ElevationAnd updating the drawing references in conditions 20, 22 and 25 accordingly.
Delegated Decision	
Application Number:	22/0817/RES
Decision Type:	Permitted
Location Address:	The Old Coal Yard Exmouth Junction Mount Pleasant Road Exeter Devon EX4 7AE
Proposal:	Approval of landscaping reserved matter for phase 2 of outline planning permission ref. 22/0037/VOC for the construction of up to 400 residential dwellings (Class C3), 65 senior living with care units (Class C2), new public open and green spaces, access road, refurbishment and extension of locally listed former water tower, and associated works.
Delegated Decision	
Application Number:	22/0916/FUL
Decision Type:	Refuse Planning Permission
Location Address:	34 Aldrin Road Exeter Devon EX4 5DN
Proposal:	Dormer extension to front elevation.

Delegated Decision	
Application Number:	22/0970/DIS
Decision Type:	Condition(s) Partially Approved
Location Address:	Exmouth Junction Mount Pleasant Road Exeter Devon EX4 7JN
Proposal:	Discharge conditions 6 (CEMP) and 10 (Construction Method Statement) for phase 2 of planning permission ref. 21/0910/OUT - Outline application for the construction of 400 residential dwellings (Class C3), 65 senior living with care units (Class C2), new public open and green spaces, access road, refurbishment and extension of locally listed former water tower, and associated works (Landscaping reserved for future consideration).
Delegated Decision	
Application Number:	22/0996/FUL
Decision Type:	Permitted
Location Address:	6 Michigan Way Exeter Devon EX4 5EU
Proposal:	To attach a Category B spiral staircase to the current balcony to allow direct access to garden from the lounge.
Delegated Decision	
Application Number:	22/1038/LED
Decision Type:	Was lawful use
Location Address:	20 Union Road Exeter Devon EX4 6HZ
Proposal:	Certificate of lawfulness of existing use for a house in multiple occupation for five people (C4 use)
Delegated Decision	
Application Number:	22/1116/FUL
Decision Type:	Permitted
Location Address:	10 Mayflower Avenue Exeter Devon EX4 5DS
Proposal:	Two storey extension to existing dwellinghouse.
Delegated Decision	
Application Number:	22/1183/FUL
Decision Type:	Permitted
Location Address:	132 Pennsylvania Road Exeter Devon EX4 6DW
Proposal:	Ground floor and first floor rear extension, demolition of existing garage and shed, new garage within existing footprint. Replacement of windows throughout. Widening of entrance gate and works to driveway.
Delegated Decision	
Application Number:	22/1190/FUL
Decision Type:	Permitted
Location Address:	132 Mincinglake Road Exeter Devon EX4 7DU
Proposal:	Rear extension to ground floor flat.

Delegated Decision	
Application Number: 22/1241/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 03/10/2022
Location Address: 70 Old Tiverton Road Exeter Devon EX4 6NG	
Proposal: Certificate of lawfulness sought for existing use of the property as a 7 person HMO.	
Delegated Decision	
Application Number: 22/1261/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 11/10/2022
Location Address: 30 Elizabeth Avenue Exeter Devon EX4 7EH	
Proposal: Single storey rear extension measuring 5m deep, maximum height 3.8m and height of eaves 3.4m.	
Delegated Decision	
Application Number: 22/1263/PD	Delegation Briefing:
Decision Type: Prior Approval Required and Refused	Date: 18/11/2022
Location Address: 1 Bridespring Walk Exeter Devon EX4 7EX	
Proposal: Prior approval sought for single storey rear extension measuring 6m (depth), 2.5m (max. height) and 2.3m (eaves height).	
Delegated Decision	
Application Number: 22/1264/PDPV	Delegation Briefing:
Decision Type: Prior Approval Required and Granted	Date: 14/11/2022
Location Address: Morrison Supermarket Prince Charles Road Exeter Devon EX4 7BY	
Proposal: Installation of Solar Panel.	
Delegated Decision	
Application Number: 22/1420/LPD	Delegation Briefing:
Decision Type: Permitted	Date: 21/10/2022
Location Address: 91 Collins Road Exeter Devon EX4 5DE	
Proposal: GROUND FLOOR SIDE EXTENSION WITHIN PERMITTED DEVELOPMENT RIGHTS	

Delegated Decision	
Application Number:	22/1426/TPO
Decision Type:	Split Decision
Location Address:	8 Lyncombe Close Exeter Devon EX4 5EJ
Proposal:	<p>Delegation Briefing:</p> <p>Date: 16/01/2023</p> <p>Scots pine, Dead, 11-15m, leaning dead tree (FAILED HUNG UP, PROCEED WITH CARE) Remove - fell at waist height. Savills Ref 356: Elm, 6-10m, Dead. Fell at ground level - Remove four dead elm in hedge line, either side of pine tree. Fell at ground level.Savills Ref 357: Elm 11-15m Dead, fell at ground level. Remove 3 dead elm to ground level.Savills Ref 358: Holm Oak 11-15m Poor condition. Pollard tree back to 3m high stump.Savills Ref 360: Oak 21m+ Fair condition, decayed trunk. Due to the dieback in the crown of this tree, the cable bracing in place, the high number of targets and the exposed position of the tree a reduction to the lowest crown at 3-3.5mSavills Ref 349: Beech 6-10m Good condition. Crown lift over road to 5.2m, to prevent obstruction to high sided vehiclesNo. 22 Savills Ref 352: Oak 16m+ Fair condition. Prune back all branches touching roof and windows to leave at least 3m clearance between building and both trees. Max diameter cuts 50mm.Savills Ref 353: Cotoneaster <5m good condition. Reduce height of tree by 1m to improve CCTV visibility. Justification for works can be found in the Savills report attached to application.</p>
Delegated Decision	
Application Number:	22/1440/LPD
Decision Type:	Permitted
Location Address:	25 Higher Kings Avenue Exeter Devon EX4 6JP
Proposal:	PROPOSED REAR GROUND FLOOR EXTENSION
Delegated Decision	
Application Number:	22/1446/NMA
Decision Type:	Permitted
Location Address:	The Old Coal Yard Exmouth Junction Mount Pleasant Road Exeter Devon EX4 7AE
Proposal:	<p>Delegation Briefing:</p> <p>Date: 09/12/2022</p> <p>Non-material amendment to planning permission ref. 22/0037/VOC to change the wording of condition 16 from 'Prior to the commencement of the development in any approved phase hereby permitted (except demolition and remediation works)...' to 'Prior to the commencement of the development in any approved phase hereby permitted (except demolition, remediation, and enabling works relating to the construction of the road and drainage infrastructure)...'</p>
Delegated Decision	
Application Number:	22/1453/LED
Decision Type:	Was lawful use
Location Address:	5 Jubilee Road Exeter Devon EX1 2HU
Proposal:	Use of property as House of Multiple Occupation (HMO) (Class C4)

Delegated Decision	
Application Number: 22/1586/LPD	Delegation Briefing:
Decision Type: Permitted	Date: 30/11/2022
Location Address: 173 Monks Road Exeter Devon EX4 7BQ	
Proposal: Loft conversion including two dormer windows on the rear roof.	
Delegated Decision	
Application Number: 22/1587/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 06/01/2023
Location Address: 173 Monks Road Exeter Devon EX4 7BQ	
Proposal: Single storey rear extension.	
Delegated Decision	
Application Number: 22/1645/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 09/01/2023
Location Address: 5 Pinhoe Road Exeter Devon EX4 7HR	
Proposal: Retention of Use of house as student HMO. Property has been continuously let since 2005.	
Pinhoe	
Delegated Decision	
Application Number: 21/0651/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 04/11/2022
Location Address: The Vines Gipsy Lane Exeter Devon EX1 3RL	
Proposal: Discharge of Condition 10 of Planning Permission Ref. 19/1384/FUL (approved on 6 November 2020) relating to external lighting	
Committee Decision	
Application Number: 21/1701/OUT	Delegation Briefing: 16/12/2021
Decision Type: Permitted	Date: 21/10/2022
Location Address: Land For Residential Development At Hill Barton Farm Hill Barton Road Exeter Devon	
Proposal: Outline Planning Application for construction of up to 285 dwellings with all matters reserved for future consideration (Access, Appearance, Landscaping, Layout and Scale).	
Delegated Decision	
Application Number: 22/0563/ADV	Delegation Briefing:
Decision Type: Refuse Planning Permission	Date: 17/10/2022
Location Address: Pinbrook Court Venny Bridge Exeter Devon EX4 8JQ	
Proposal: Installation of 1no. 6m flagpole style sign, 2no. store fascia signs (canopy mounted), 2no. large wall mounted billboards, 2no. small wall mounted billboards, 1no. trolley bay sign and 1no. freestanding poster display unit.	

Delegated Decision	
Application Number: 22/0564/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 05/12/2022
Location Address: Pinbrook Court Venny Bridge Exeter Devon EX4 8JQ	
Proposal:	Discharge condition 9 (Waste Audit Statement) of permission ref. 19/1709/FUL - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works - (Further Revised Plans).
Delegated Decision	
Application Number: 22/0621/DIS	Delegation Briefing:
Decision Type: Condition(s) Application Refused	Date: 05/12/2022
Location Address: Land At Pinbrook Court Pinhoe Road/Venny Bridge Road Exeter EX4 8JQ	
Proposal:	Discharge condition 6 (Heating System) of permission ref. 19/1709/FUL - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works - (Further Revised Plans).
Delegated Decision	
Application Number: 22/0632/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 16/12/2022
Location Address: Land At Sandrock Gipsy Hill Lane Exeter EX1 3RP	
Proposal:	Non-material amendments to planning permission ref. 17/1320/FUL to:- replace garage with parking space (Plot 62)- resite garage to attach to house (Plot 42) - change Plots 55 and 56 from semi-detached to detached- move Plots 56 and 57 south by 1.3m- provide lightwell south of flats (Plots 47-53)- change entrance canopies to flats to flat roof design- move cycle store for flats to east - rearrange parking spaces- new parking layout for flats- add grasscrete fire turning head (north of Plot 45)As shown on drawing numbers:- 17014 L 01.01 Rev No. P7- 17014 L 01.02 Rev No. P9- 17014 Flats 02.00 Rev No. P1- 17014 Flats 02.01 Rev No. P1- 17014 Flats 04.00 Rev No. P1- 17014 Flats 04.01And change Wienerberger Brick to Edmunton Stock Brick on screen/retaining walls, under-build for Plots 1-3, and Plots 4-6 and 59-62.
Delegated Decision	
Application Number: 22/0636/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 05/12/2022
Location Address: Pinbrook Court Venny Bridge Exeter Devon EX4 8JQ	
Proposal:	Discharge condition 5 (surface water drainage design) of permission ref. 19/1709/DIS - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works - (Further Revised Plans).

Delegated Decision	
Application Number: 22/0663/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 05/12/2022
Location Address: Pinbrook Court Venny Bridge Exeter Devon EX4 8JQ	
Proposal: Discharge condition 8 (Construction Method Statement) of permission ref. 19/1709/FUL - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works - (Further Revised Plans).	
County Decisions	
Application Number: 22/0679/FUL	Delegation Briefing: 06/10/2022
Decision Type: Permitted	Date: 29/11/2022
Location Address: 51 Park Lane Exeter Devon EX4 9HP	
Proposal: Single storey rear extension and single storey side extension.	
Delegated Decision	
Application Number: 22/0852/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 18/01/2023
Location Address: Tithebarn Development Land Tithebarn Lane Exeter Devon	
Proposal: Replacement of existing hedgerow along western boundary with fence (non-material amendment to approval 18/0789/RES)	
Delegated Decision	
Application Number: 22/0873/FUL	Delegation Briefing: 11/08/2022
Decision Type: Permitted	Date: 19/10/2022
Location Address: 3 Dairy Grove Exeter Devon EX4 9AR	
Proposal: Installation of Glass Veranda and Green House.	
Delegated Decision	
Application Number: 22/0950/FUL	Delegation Briefing: 21/07/2022
Decision Type: Permitted	Date: 06/10/2022
Location Address: 2 Masefield Road Exeter Devon EX4 8HA	
Proposal: 2 storey side extension, dormer loft conversion and associated works.	
Delegated Decision	
Application Number: 22/0980/DIS	Delegation Briefing:
Decision Type: Deemed Discharge Notice Served	Date: 25/01/2023
Location Address: Land At Pinbrook Court Pinhoe Road/Venny Bridge Road Exeter EX4 8JQ	
Proposal: Discharge condition 13 (Detailed Landscaping Scheme) of permission ref. 19/1709/FUL - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works.	

Delegated Decision	
Application Number: 22/1017/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 11/11/2022
Location Address: Shelter 2102 0191 Honiton Road St Loyes Exeter Devon	
Proposal: Double-sided internally illuminated 6-sheet bus shelter advertising display; Digital displays to portray static advertising images that change every 10 seconds.	
Delegated Decision	
Application Number: 22/1023/DIS	Delegation Briefing:
Decision Type: Condition(s) Partially Approved	Date: 01/11/2022
Location Address: Land For Residential Development Hill Barton Road Exeter Devon	
Proposal: Part discharge condition 7 (vehicle access points and adjacent footway/cycleway) of permission ref. 19/1375/OUT - Outline application for up to 200 dwellings (Approval sought for details of access only, with scale, layout, appearance and landscaping all reserved for future consideration)	
Delegated Decision	
Application Number: 22/1034/FUL	Delegation Briefing: 11/08/2022
Decision Type: Permitted	Date: 05/10/2022
Location Address: 94 - 96 Main Road Pinhoe Exeter Devon EX4 9HF	
Proposal: Proposed detached single garage.	
Delegated Decision	
Application Number: 22/1054/FUL	Delegation Briefing: 11/08/2022
Decision Type: Permitted	Date: 10/10/2022
Location Address: 66 Grenville Avenue Exeter Devon EX4 8EU	
Proposal: Single storey side extension.	
Delegated Decision	
Application Number: 22/1124/FUL	Delegation Briefing: 25/08/2022
Decision Type: Permitted	Date: 11/10/2022
Location Address: 15 Jersey Road Exeter Devon EX4 9AN	
Proposal: Proposed single storey rear extension and landscaping to rear garden.	
Delegated Decision	
Application Number: 22/1149/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 18/10/2022
Location Address: 2 Farmhouse Avenue Exeter Devon EX1 3XT	
Proposal: Rear Extension; Length of 3.4m, Width 3.14, Height 3.5m.	

Delegated Decision	
Application Number:	22/1172/DIS
Decision Type:	Deemed Discharge Notice Served
Location Address:	Land At Pinbrook Court Pinhoe Road/Venny Bridge Road Exeter EX4 8JQ
Proposal:	Discharge condition 19 (Travel Plan) of permission ref. 19/1709/FUL - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works.
Delegated Decision	
Application Number:	22/1174/DIS
Decision Type:	Deemed Discharge Notice Served
Location Address:	Land At Pinbrook Court Pinhoe Road/Venny Bridge Road Exeter EX4 8JQ
Proposal:	Discharge condition 15 (noise barrier) of permission ref. 19/1709/FUL - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works.
Delegated Decision	
Application Number:	22/1202/NMA
Decision Type:	Permitted
Location Address:	Land At Hill Barton Adjacent To The Boundary Of The Met Office Exeter Devon
Proposal:	Non Material amendment (changes to doors and house types) in relation application 19/0699/FUL for Construction of 47 dwellings.
Delegated Decision	
Application Number:	22/1253/VOC
Decision Type:	Withdrawn by Applicant
Location Address:	North Side Of Land On Honiton Road Honiton Road Exeter Devon
Proposal:	INVALID - Mixed use development to provide town centre facilities comprising uses within some or all of Class A1 (Retail), Class A2 (Financial and Professional Services), Class A3 (Cafes and Restaurants) with associated Drive-Thru's, Class A5 (Hot Food Takeaways), Class D2 (Assembly and Leisure) with associated means of access, access roads, service yards, car parking, infrastructure, public realm and landscaping. (All matters reserved except access) (Variation of conditions 3, 38, 40, 41, 42 and 43 to allow for a convenience retail-led scheme)
Delegated Decision	
Application Number:	22/1292/FUL
Decision Type:	Permitted
Location Address:	36 Station Road Pinhoe Exeter Devon EX1 3SD
Proposal:	Demolition of existing single storey rear extension and construction of new single storey rear extension.

Delegated Decision	
Application Number: 22/1293/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 02/11/2022
Location Address: Land To The North Of Arran Gardens Hollow Lane And Higher Furlong Monkerton	
Proposal: minor change to wording of conditions 15 (shared use pedestrian/cycle path) and 20 (vehicular passing place) of Application Reference Number: 18/1625/FUL	
Delegated Decision	
Application Number: 22/1329/DIS	Delegation Briefing:
Decision Type: Deemed Discharge Notice Served	Date: 25/01/2023
Location Address: Land At Pinbrook Court Pinhoe Road/Venny Bridge Road Exeter EX4 8JQ	
Proposal: Discharge condition 11 (details of materials) of permission ref. 19/1709/FUL - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works.	
Delegated Decision	
Application Number: 22/1331/FUL	Delegation Briefing: 06/10/2022
Decision Type: Refuse Planning Permission	Date: 22/11/2022
Location Address: 32 Sheridan Road Exeter Devon EX4 8EY	
Proposal: Two storey side extension.	
Delegated Decision	
Application Number: 22/1365/FUL	Delegation Briefing: 27/10/2022
Decision Type: Refuse Planning Permission	Date: 14/12/2022
Location Address: 4 Lands Road Exeter Devon EX4 8PT	
Proposal: First-floor extension over the existing garage.	
Delegated Decision	
Application Number: 22/1466/DIS	Delegation Briefing:
Decision Type: Condition(s) Partially Approved	Date: 26/01/2023
Location Address: Pinbrook Court Venny Bridge Exeter Devon EX4 8JQ	
Proposal: Discharge conditions 16 (access points/footway details) and 17 (Venny Bridge access details) of permission ref. 19/1709/FUL - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works.	

Delegated Decision	
Application Number: 22/1467/DIS	Delegation Briefing:
Decision Type: Deemed Discharge Notice Served	Date: 25/01/2023
Location Address: Pinbrook Court Venny Bridge Exeter Devon EX4 8JQ	
Proposal: Discharge condition 21 (CCTV) of permission ref. 19/1709/FUL - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works.	
Delegated Decision	
Application Number: 22/1468/DIS	Delegation Briefing:
Decision Type: Deemed Discharge Notice Served	Date: 25/01/2023
Location Address: Pinbrook Court Venny Bridge Exeter Devon EX4 8JQ	
Proposal: Discharge condition 18 (cycle parking details, including cargo bikes and electric bikes) of permission ref. 19/1709/FUL - Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works.	
Delegated Decision	
Application Number: 22/1507/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 20/01/2023
Location Address: Staff Accommodation Gipsy Hill Hotel Gipsy Lane Exeter Devon EX1 3RN	
Proposal: Replacement of external windows, doors, fascias, soffits, rain water goods to Coach House accommodation block.	
Delegated Decision	
Application Number: 22/1520/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 23/11/2022
Location Address: North Side Of Land On Honiton Road Honiton Road Exeter Devon	
Proposal: Non-material amendment to the proposal description of planning permission ref. 19/1461/OUT to reflect the new use classes introduced in September 2020 and the classification of the restaurants with drive-thru's as dual use units (Class E(b)/Sui-Generis) and non-material amendments to conditions 3, 32, 33, 36, 38, 39, 40, 41, 42, 43 and 45 to reflect the new use classes and to allow the amount and distribution of uses to vary within the parameters of the overall approved floorspace quanta to support the delivery of a new retail anchor for the scheme focused on the sale of convenience goods.	
Delegated Decision	
Application Number: 22/1552/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2023
Location Address: Pinbrook Court Venny Bridge Exeter Devon EX4 8JQ	
Proposal: Installation of 2 no. store fascia signs (canopy mounted), 2 no. small billboards (wall mounted), 1 no. trolley bay sign and 1 no. freestanding poster display unit.	

Delegated Decision			
Application Number:	22/1637/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	02/12/2022
Location Address:	Pinhoe Quarry Harrington Lane Exeter Devon EX4 8DT		
Proposal:	Alteration of roof materials to include alternative option (non-material amendment to 19/1100/RES)		
Prory			
Delegated Decision			
Application Number:	21/0721/FUL	Delegation Briefing:	13/05/2021
Decision Type:	Permitted	Date:	03/11/2022
Location Address:	157 Briar Crescent Exeter Devon EX2 6DS		
Proposal:	Double storey extension to rear and bay window to front.		
Delegated Decision			
Application Number:	21/1165/FUL	Delegation Briefing:	05/08/2021
Decision Type:	Permission not required	Date:	22/12/2022
Location Address:	183 Topsham Road Exeter Devon EX2 6AN		
Proposal:	WAITING FOR LBC - Also Deborah: Design and Access Statement is private as contains personal info]. Steps and handrail, and replacement sash window		
Delegated Decision			
Application Number:	21/1493/FUL	Delegation Briefing:	14/10/2021
Decision Type:	Refuse Planning Permission	Date:	17/10/2022
Location Address:	2 Mill Yard Cottages Mill Yard Exeter Devon EX2 6LL		
Proposal:	Single and two storey rear extension.		
Delegated Decision			
Application Number:	22/0477/FUL	Delegation Briefing:	12/05/2022
Decision Type:	Refuse Planning Permission	Date:	16/11/2022
Location Address:	396 Topsham Road Exeter Devon EX2 6HE		
Proposal:	Subdivision of the plot and construction of three detached homes to the rear of the existing building with associated parking and landscaping.		
Delegated Decision			
Application Number:	22/0928/FUL	Delegation Briefing:	13/10/2022
Decision Type:	Refuse Planning Permission	Date:	22/11/2022
Location Address:	32 Hawthorn Road Exeter Devon EX2 6DZ		
Proposal:	Two storey side extension (Revised plans).		

Delegated Decision	
Application Number:	22/1088/LBC
Decision Type:	Permitted
Location Address:	Wonford House Hospital Dryden Road Exeter Devon EX2 5AF
Proposal:	Installation of Air source heat pump within internal courtyard. Internal alterations on ground floor.
Delegated Decision	
Application Number:	22/1156/LBC
Decision Type:	Permitted
Location Address:	Wonford House Hospital Dryden Road Exeter Devon EX2 5AF
Proposal:	Internal alterations to 1st Floor.
Delegated Decision	
Application Number:	22/1157/FUL
Decision Type:	Permitted
Location Address:	Wonford House Hospital Dryden Road Exeter Devon EX2 5AF
Proposal:	Installation of Air source heat pump within internal courtyard. Internal alterations on ground floor.
Delegated Decision	
Application Number:	22/1290/FUL
Decision Type:	Permitted
Location Address:	29 Masterson Street Exeter Devon EX2 5GR
Proposal:	Instalation of French doors to the rear with canopy.
Delegated Decision	
Application Number:	22/1298/FUL
Decision Type:	Permitted
Location Address:	63 Hoker Road Exeter Devon EX2 5HX
Proposal:	Two storey side extension.
Delegated Decision	
Application Number:	22/1320/FUL
Decision Type:	Permitted
Location Address:	25 Countess Wear Road Exeter Devon EX2 6LR
Proposal:	First floor side extension.
Delegated Decision	
Application Number:	22/1396/LPD
Decision Type:	Permitted
Location Address:	79 Hoker Road Exeter Devon EX2 5JA
Proposal:	Construction of a single storey, flat roof workshop and utility space.

Delegated Decision	
Application Number: 22/1503/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 09/12/2022
Location Address: Royal Devon And Exeter Hospital Barrack Road Exeter Devon	
Proposal: Construction of 20 metre high extract ventilation tower to K/L block.	
Delegated Decision	
Application Number: 22/1540/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 23/01/2023
Location Address: Royal Devon And Exeter Hospital Barrack Road Exeter Devon	
Proposal: Extend the existing temporary contractors carpark.	
Delegated Decision	
Application Number: 22/1561/TPO	Delegation Briefing:
Decision Type: Refuse Planning Permission	Date: 01/12/2022
Location Address: 16 Salters Court Salters Road Exeter Devon EX2 5JG	
Proposal: Due current climates (Weather) the tree looks unhealthy and unstable.	
Delegated Decision	
Application Number: 22/1731/FUL	Delegation Briefing:
Decision Type: Decline to Determine	Date: 20/12/2022
Location Address: 27 Burnthouse Lane Exeter Devon EX2 6BG	
Proposal: Metal shed on driveway to house mobility scooter.	
St Davids	
Delegated Decision	
Application Number: 19/0820/FUL	Delegation Briefing: 25/08/2022
Decision Type: Permitted	Date: 23/12/2022
Location Address: Car Park Rear Of 95 - 96 Fore Street Fore Street Exeter	
Proposal: Development of 8 flats over 4 floors.	
Committee Decision	
Application Number: 21/1864/FUL	Delegation Briefing: 23/12/2021
Decision Type: Permitted	Date: 21/10/2022
Location Address: Former Exeter Royal Academy For Deaf Education 50 Topsham Road Exeter Devon EX2 4NF	
Proposal: Redevelopment for retirement living accommodation (60 years old and/or partner over 55 years old) comprising 84 retirement apartments including communal facilities, access, car parking and landscaping.	

Delegated Decision			
Application Number:	22/0164/LED	Delegation Briefing:	
Decision Type:	Was not lawful use	Date:	05/01/2023
Location Address:	105 Bonhay Road Exeter Devon EX4 4BH		
Proposal:	Ground floor flat and upper floor maisonette as single dwellinghouses.		
Delegated Decision			
Application Number:	22/0398/FUL	Delegation Briefing:	14/04/2022
Decision Type:	Withdrawn Returned (unlikely to be det.)	Date:	11/01/2023
Location Address:	37 Commercial Road Exeter Devon EX2 4AE		
Proposal:	External alterations for The Samuel Jones (Restaurant).		
Delegated Decision			
Application Number:	22/0421/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	21/12/2022
Location Address:	26 Richmond Road Exeter Devon EX4 4JF		
Proposal:	Certificate of lawful of existing use as a House in Multiple Occupation (sui generis use for 7 residents).		
Delegated Decision			
Application Number:	22/0723/LBC	Delegation Briefing:	04/08/2022
Decision Type:	Permitted	Date:	03/10/2022
Location Address:	9A Cathedral Close Exeter Devon EX1 1EZ		
Proposal:	To sub-divide the largest room, bedroom 1 into two bedrooms.		
Delegated Decision			
Application Number:	22/0885/FUL	Delegation Briefing:	21/07/2022
Decision Type:	Permitted	Date:	18/10/2022
Location Address:	15 Colleton Mews Exeter Devon EX2 4AH		
Proposal:	Replacement doors and windows.		
Delegated Decision			
Application Number:	22/0929/FUL	Delegation Briefing:	28/07/2022
Decision Type:	Permitted	Date:	06/10/2022
Location Address:	2 St Davids Hill Exeter Devon EX4 3RG		
Proposal:	Replacement roof covering and single storey rear extension.		
Delegated Decision			
Application Number:	22/0930/LBC	Delegation Briefing:	28/07/2022
Decision Type:	Permitted	Date:	06/10/2022
Location Address:	2 St Davids Hill Exeter Devon EX4 3RG		
Proposal:	Replacement roof covering and single storey rear extension.		

Delegated Decision	
Application Number: 22/1007/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 26/10/2022
Location Address: 12 Mary Arches Street Exeter Devon EX4 3AZ	
Proposal:	Installation of replacement signage to comprise a total of 18 new signs; 14 no. aluminium composite fascia signs, 2 no. A1 poster displays, 1 no. search policy notice and 1 no. framed banner on splay corner.
Delegated Decision	
Application Number: 22/1011/FUL	Delegation Briefing: 11/08/2022
Decision Type: Permitted	Date: 04/11/2022
Location Address: Concord House South Street Exeter Devon EX1 1EG	
Proposal:	Upgrade to existing telecommunications base station on rooftop.
Delegated Decision	
Application Number: 22/1025/FUL	Delegation Briefing: 13/10/2022
Decision Type: Permitted	Date: 13/10/2022
Location Address: 7 Friars Walk Exeter Devon EX2 4AY	
Proposal:	Two storey side extension; Ground floor extension. Associated works.
County Decisions	
Application Number: 22/1026/LBC	Delegation Briefing: 13/10/2022
Decision Type: Permitted	Date: 13/10/2022
Location Address: 7 Friars Walk Exeter Devon EX2 4AY	
Proposal:	Two storey side extension; Ground floor extension. Associated works.
Delegated Decision	
Application Number: 22/1032/FUL	Delegation Briefing: 13/10/2022
Decision Type: Permitted	Date: 13/10/2022
Location Address: 7 Friars Walk Exeter Devon EX2 4AY	
Proposal:	Replacement single storey side extension; Ground floor extension; associated works.
Delegated Decision	
Application Number: 22/1033/LBC	Delegation Briefing: 13/10/2022
Decision Type: Permitted	Date: 13/10/2022
Location Address: 7 Friars Walk Exeter Devon EX2 4AY	
Proposal:	Replacement single storey side extension; Ground floor extension; associated works.

Delegated Decision	
Application Number: 22/1071/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 03/11/2022
Location Address: Former Site Of 35 High Street Exeter Devon EX4 3LN	
Proposal:	Discharge of Condition 2 - materials, Condition 5 - cycle parking, Condition 6 - delivery and servicing, Condition 8 - ventilation system, Condition 9 - additional design details, and Condition 10 real time information - of planning permission 20/1040/FUL (re-development of a four storey building containing retail (Class A1), hotel (Class C1) and food & beverage (Class A3) use with construction of new build rooftop enclosure with associated terraces and additional retail entrances to High Street).
Delegated Decision	
Application Number: 22/1136/FUL	Delegation Briefing: 25/08/2022
Decision Type: Permitted	Date: 10/10/2022
Location Address: Ground Floor 65-67 High Street Exeter Devon EX4 3DT	
Proposal:	Extension to external seating area and placement of umbrellas, planters, windbreaks, tables and chairs
Delegated Decision	
Application Number: 22/1137/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 15/11/2022
Location Address: 4 Dinham Road Exeter Devon EX4 4EE	
Proposal:	Discharge of conditions 3 (secure cycle parking) and 4 (bin storage) pertaining to planning permission 21/0940/FUL (allowed on appeal 26 May 2022).
Delegated Decision	
Application Number: 22/1153/LBC	Delegation Briefing: 22/09/2022
Decision Type: Permitted	Date: 18/10/2022
Location Address: Cricklepit Mill Commercial Road Exeter Devon EX2 4AB	
Proposal:	Installation of 2 x Electric Vehicle charge points to the perimeter car park wall.
Delegated Decision	
Application Number: 22/1159/FUL	Delegation Briefing: 08/09/2022
Decision Type: Permitted	Date: 05/10/2022
Location Address: 7 Cathedral Close Exeter Devon EX1 1EZ	
Proposal:	Revisions to 21/1415/FUL including plant room access door within window opening, blocking up of access between kitchen and new plant room, new metal flue within new plant room, new opening to access external platform lift, and insertion of additional new roof window within consented extension.

Delegated Decision	
Application Number: 22/1160/LBC	Delegation Briefing: 08/09/2022
Decision Type: Permitted	Date: 05/10/2022
Location Address: 7 Cathedral Close Exeter Devon EX1 1EZ	
Proposal:	Revisions to 21/1416/LBC including the installation of plant room access door within window opening, blocking up of access between kitchen and new plant room, new painted metal flue within new plant room, new opening within wall to create access into consented lift, variation of insulation type within roof void, and insertion of additional new roof window within consented extension.
Delegated Decision	
Application Number: 22/1184/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 14/11/2022
Location Address: Mint Court The Mint Exeter Devon EX4 3BL	
Proposal:	Like for Like Repair works to Roof.
Delegated Decision	
Application Number: 22/1186/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 05/10/2022
Location Address: Unit 22 Higher Market Guildhall Shopping And Dining Queen Street Exeter Devon EX4 3FB	
Proposal:	Internally illuminated fascia sign. Externally illuminated projecting hanging sign. Hand painted signs to pendant lights. Hand painted signs to glazing. Screen printed signs to fabric barriers.
Delegated Decision	
Application Number: 22/1189/FUL	Delegation Briefing: 22/09/2022
Decision Type: Permitted	Date: 18/10/2022
Location Address: Cricklepit Mill Commercial Road Exeter Devon EX2 4AB	
Proposal:	Installation of 2 x Electric Vehicle charge points to the perimeter car park wall.
Delegated Decision	
Application Number: 22/1251/LBC	Delegation Briefing: 29/09/2022
Decision Type: Permitted	Date: 04/11/2022
Location Address: 202 High Street Exeter Devon EX4 3EB	
Proposal:	The installation of secondary windows to 1st, 2nd and 3rd floor rooms on front elevation.

Delegated Decision	
Application Number:	22/1284/CAT
Decision Type:	Permitted
Location Address:	Bs Os No 1 Homecourt House Bartholomew Street West Exeter Devon
Proposal:	G1 - Silver Birch Crown reduce to previous pruning points. T2 - Purple Leaf Plum. Prune away from roof tiles. T3 - Oriental Plum Trim back to reshape and contain. T4 - Cherry Prune lateral branches to contain. T5 - Silver Birch Crown reduce by up to 2 metres. T6 - Purple Leaf Plum Crown reduce approximately to previous pruning points. T9 - Gleditsia Thin canopy by 10% in order to achieve more light into residence below. These works are suggested as part of the routine care and maintenance of these trees.
Delegation Briefing:	
Date:	01/10/2022
Delegated Decision	
Application Number:	22/1332/FUL
Decision Type:	Permitted
Location Address:	8-9 Richmond Road Exeter EX4 4JA
Proposal:	Change of use to two dwellings, associated works including parking, bin storage, cycle storage, fencing and access gates
Delegation Briefing:	20/10/2022
Date:	15/12/2022
Delegated Decision	
Application Number:	22/1333/LBC
Decision Type:	Permitted
Location Address:	8-9 Richmond Road Exeter Devon EX4 4JA
Proposal:	Change of use to two dwellings, associated works including parking, bin storage, cycle storage, fencing and access gates
Delegation Briefing:	20/10/2022
Date:	15/12/2022
Delegated Decision	
Application Number:	22/1339/TPO
Decision Type:	Permitted
Location Address:	1 Dinham Crescent Exeter Devon EX4 4EF
Proposal:	I am writing you to seek permission to prune a lone tree in front of my house. In terms of the changes, I hope to attach three photos. Photo 1: This shows how one of the tree branches is running into our house, as well as starting to cover the guttering and getting close to our anti-seagull netting. Photo 2: This photo indicate how the tree is now touching our neighbour's house. Photo 3: This photo is taken from underneath the tree where it meets our house. In the photos I have drawn a red line where (roughly) we want to cut at. We will get a professional tree cutter to do the pruning, so they can advise on the exact place in order to ensure the health of the tree. If this is not acceptable, please if you suggest where would be appropriate. Given the growth of the tree and the resulting possible damage it might cause (esp with a strong storm), I would appreciate hearing back from you at your earliest convenience.
Delegation Briefing:	
Date:	03/01/2023

Delegated Decision	
Application Number: 22/1343/SO	Delegation Briefing:
Decision Type: EIA Development	Date: 12/10/2022
Location Address: Land At Water Lane Exeter Devon	
Proposal:	Request for screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) for mixed use development of up to 1,500 dwellings, 350 student rooms, other employment and commercial uses and associated infrastructure, following demolition of existing buildings and structures. Request for scoping opinion if the local planning authority adopts a screening opinion that the proposed development is EIA development.
Delegated Decision	
Application Number: 22/1345/LPD	Delegation Briefing:
Decision Type: Permitted	Date: 21/10/2022
Location Address: 13 Tavistock Road Exeter Devon EX4 4BN	
Proposal:	Proposed Loft Conversion to Include Rear Facing Dormer and Roof Lights to the Street Elevation. Internal alteration to provide access to Proposed Loft Conversion.
Delegated Decision	
Application Number: 22/1357/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 16/01/2023
Location Address: 43-45 High Street Exeter Devon EX4 3DJ	
Proposal:	Alterations to shopfront, installation of new air conditioning units and associated works.
Delegated Decision	
Application Number: 22/1358/LBC	Delegation Briefing:
Decision Type: Permitted	Date: 16/01/2023
Location Address: 43-45 High Street Exeter Devon EX4 3DJ	
Proposal:	Alterations to shopfront, installation of new air conditioning units and associated works.
Delegated Decision	
Application Number: 22/1412/FUL	Delegation Briefing: 27/10/2022
Decision Type: Permitted	Date: 08/12/2022
Location Address: 2 Friars Walk Exeter Devon EX2 4AY	
Proposal:	Entrance canopy and associated supporting columns over principal entrance door.

Delegated Decision	
Application Number: 22/1413/LBC	Delegation Briefing: 27/10/2022
Decision Type: Permitted	Date: 08/12/2022
Location Address: 2 Friars Walk Exeter Devon EX2 4AY	
Proposal: Entrance canopy and associated supporting columns over principal entrance door.	
Delegated Decision	
Application Number: 22/1437/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 04/11/2022
Location Address: St Davids Church Of England Primary School Dinham Road Exeter Devon EX4 4EE	
Proposal: T1 - Himalayan Birch: Reduce in height by 2 metres. Reshape all lateral branches by up to 075metre. Crown lift by up to 1 metre. Diameter cuts made up to 6cm.Reasons - Starting to fowl 2 lengths of phone lines on either side of the tree. Children are climbing tree using lower branches.	
Delegated Decision	
Application Number: 22/1447/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 28/10/2022
Location Address: 12-13 Princesshay Exeter Devon EX1 1GE	
Proposal: Replacement of shopfront signage	
Delegated Decision	
Application Number: 22/1477/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 04/11/2022
Location Address: 5 Dinham Crescent Exeter Devon EX4 4EF	
Proposal: T1 - Ash tree, reduce 1x secondary branch by approximately 2m encroaching on the street light.T2 - Sycamore, remove lowest primary branch overhanging the road. Reduce canopy edge over the road by approximately 2m. T3 - Cypress, adjacent to turning area. Reduce lower and mid crown branches overhanging the road by up to 1m where possible up to a height of 4m . Remove branches damaged by turning vehicles.	
Delegated Decision	
Application Number: 22/1519/FUL	Delegation Briefing: 10/11/2022
Decision Type: Permitted	Date: 16/12/2022
Location Address: Mezzanine And Second Floor 83-84 Queen Street Exeter Devon EX4 3RP	
Proposal: Change of Use class on this Premises from class E to Sui Generis for a Tattoo Studio.	

Delegated Decision	
Application Number:	22/1535/CAT
Decision Type:	Permitted
Location Address:	Princesshay Centre St Stephens House 9 Catherine Street Exeter Devon EX1 1EU
Proposal:	All tree ID numbers as per tree survey report and plan submitted T001 London plane - reduce crown for maximum 2m clearance of property T005 London plane - reduce crown for maximum 2m clearance of property T006 London plane - reduce crown for maximum 2m clearance of property and crown lift to 5.2m over highway T031 Oak - remove major deadwood T034 Judas tree - crown raise to 4m above ground level and remove major deadwood T038 Prunus - Crown lift to 3m above ground level T039 Oak - crown lift to 3m above ground level T040 Oak - crown lift to 3m above ground level T045 Alder - crown lift to 5.2m above highway T046 Alder -crown lift to 5.2m above highway All works to BS3998:2010
Delegated Decision	
Application Number:	22/1589/CAT
Decision Type:	Permitted
Location Address:	City Centre Management St Stephens House 9 Catherine Street Exeter Devon EX1 1EU
Proposal:	T034 Judas tree - fell to ground level due to weak union split at base. Replace with same species in adjacent location
Delegated Decision	
Application Number:	22/1590/CAT
Decision Type:	Permitted
Location Address:	12 Clayton Road Exeter Devon EX4 4BJ
Proposal:	Land to the side of 12 Clayton Road - G1 - dismantle 4 x elm trees encroaching onto the property . Dismantle 2 x sycamores encroaching onto the property. Multi stemmed sycamore crown lift up to a height of 6m from the base of the tree. Holly reduce by 2m in height and 1m at all compass points. Brambles adjacent to front door cut back by 2m. Works required to alleviate nuisance and interference causing conflict with the property and its residents.
Delegated Decision	
Application Number:	22/1614/FUL
Decision Type:	Permitted
Location Address:	1-9 Radmore House Frog Street Exeter Devon EX1 1FG
Proposal:	Change of use from children's home (C2 use) to 'move on' accommodation (Sui Generis use).

Delegated Decision	
Application Number: 22/1622/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 08/12/2022
Location Address: The Neighbourhood 27 Mary Arches Street Exeter Devon EX4 3FP	
Proposal: Discharge of Condition 11 on Planning Ref. 16/0662/FUL, granted on 17 October 2016, relating to archaeology	

Delegated Decision	
Application Number: 22/1639/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 12/12/2022
Location Address: 5 Eastgate St Davids Exeter Devon EX1 1GB	
Proposal: 1No. New internally LED illuminated sign box fixed directly to the glazing.	

Delegated Decision	
Application Number: 22/1654/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 02/12/2022
Location Address: 7 Colleton Mews Exeter Devon EX2 4AH	
Proposal: T1 - Sycamore - Fell	

St Loyes

Delegated Decision	
Application Number: 21/1834/FUL	Delegation Briefing: 07/04/2022
Decision Type: Permitted	Date: 10/10/2022
Location Address: The Headland Woodwater Lane Exeter Devon EX2 5AW	
Proposal: Retention of extension to and conversion of existing garage to ancillary, residential annexe (Retrospective Application).	

Delegated Decision	
Application Number: 21/1957/FUL	Delegation Briefing: 13/01/2022
Decision Type: Permitted	Date: 03/10/2022
Location Address: Moto Hospitality Exeter Motorway Services Area Sidmouth Road St Loyes Exeter Devon EX2 7HF	
Proposal: Alteration of existing car parking spaces to provide 12 dedicated electric vehicle parking spaces (Retrospective Application).	

Delegated Decision	
Application Number: 22/0233/VOC	Delegation Briefing: 07/04/2022
Decision Type: Permitted	Date: 07/12/2022
Location Address: Police Headquarters Devon And Cornwall Police Alderson Drive Exeter Devon EX2 7HQ	
Proposal: Variation of Condition 2 on Planning Permission Ref. 20/1482/FUL, granted on 16 September 2021, to include external air source heat pump and enclosure, separate plant room and brick piers around the Sports Hall	

Delegated Decision	
Application Number:	22/1112/LPD
Decision Type:	Was lawful use
Location Address:	Bridgeside House 170 Honiton Road St Loyes Exeter Devon EX1 3EP
Proposal:	Change of use from six bedroom detached dwelling to house in multiple occupancy (HMO) for six residents.
Delegated Decision	
Application Number:	22/1166/FUL
Decision Type:	Permitted
Location Address:	10 Elgar Close Exeter Devon EX2 5QU
Proposal:	Replacement of conservatory roof; new roof light and bifold doors; cladding to front elevation.
Delegated Decision	
Application Number:	22/1170/FUL
Decision Type:	Permitted
Location Address:	51 Royal Crescent Exeter Devon EX2 7QB
Proposal:	Installation of 8 solar panels on the roof. Including mounting kit and black anodised aluminium frame.
Delegated Decision	
Application Number:	22/1171/FUL
Decision Type:	Permitted
Location Address:	5 Plantagenet Walk Exeter Devon EX2 7QH
Proposal:	Installation of 14 solar panels on the roof. Including mounting kit and black anodised aluminium frame.
Delegated Decision	
Application Number:	22/1205/FUL
Decision Type:	Refuse Planning Permission
Location Address:	14 Farm Close Exeter Devon EX2 5PJ
Proposal:	Two storey extension.
Delegated Decision	
Application Number:	22/1231/FUL
Decision Type:	Permitted
Location Address:	Bridgeside House 170 Honiton Road Exeter Devon EX1 3EP
Proposal:	Change of use from dwelling to ten person house in multiple occupation.

Delegated Decision	
Application Number:	22/1258/FUL
Decision Type:	Permitted
Location Address:	30 Quarry Park Road Exeter Devon EX2 5PB
Proposal:	First floor side and rear extension (Resubmission of application ref. 22/0159/FUL allowed at appeal on 02 September 2022).
Delegated Decision	
Application Number:	22/1359/FUL
Decision Type:	Permitted
Location Address:	11 Mallard Road Exeter Devon EX2 7LD
Proposal:	Proposed extension and alteration to extend warehouse and office facilities.
Delegated Decision	
Application Number:	22/1397/FUL
Decision Type:	Permitted
Location Address:	36 Grecian Way Exeter Devon EX2 5PF
Proposal:	First floor side extension over garage, and extending the garage area 1m in depth to be in line with the rear building line.
Delegated Decision	
Application Number:	22/1407/FUL
Decision Type:	Permitted
Location Address:	10 Birchy Barton Hill Exeter Devon EX1 3ET
Proposal:	Single storey side extension and replacing rear structure with conservatory.
Delegated Decision	
Application Number:	22/1424/FUL
Decision Type:	Permitted
Location Address:	6 Ribston Avenue Exeter Devon EX1 3QE
Proposal:	New front extension/porch and relocation of existing single storey garage.
Delegated Decision	
Application Number:	22/1463/FUL
Decision Type:	Permitted
Location Address:	2 Lower Hill Barton Road Exeter Devon EX1 3EH
Proposal:	Widen existing highway access on front boundary.

Delegated Decision			
Application Number:	22/1478/FUL	Delegation Briefing:	03/11/2022
Decision Type:	Permitted	Date:	14/12/2022
Location Address:	18 Parkland Drive Exeter Devon EX2 5RX		
Proposal:	Two storey side extension, internal alterations.		
Delegated Decision			
Application Number:	22/1479/FUL	Delegation Briefing:	03/11/2022
Decision Type:	Permitted	Date:	14/12/2022
Location Address:	8 Cumberland Drive Digby Exeter Devon EX2 7RF		
Proposal:	Single storey infill side extension; external and internal alterations.		
Delegated Decision			
Application Number:	22/1488/FUL	Delegation Briefing:	03/11/2022
Decision Type:	Permitted	Date:	29/11/2022
Location Address:	51 Birchy Barton Hill Exeter Devon EX1 3EX		
Proposal:	Two storey side extension, single storey front extension, white render to all elevations.		
Delegated Decision			
Application Number:	22/1500/FUL	Delegation Briefing:	03/11/2022
Decision Type:	Permitted	Date:	19/12/2022
Location Address:	28 Lower Hill Barton Road Exeter Devon EX1 3EH		
Proposal:	Two storey side extension, widening of existing garage and internal alterations.		
Delegated Decision			
Application Number:	22/1584/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	01/12/2022
Location Address:	Hideout Aspen Close Exeter Devon EX2 5RZ		
Proposal:	T1 - Larch - Fell - Poor specimen with die-back probably due landscape works and stem being buried for 5 years - Client keen to replace T2 - Scotts Pine - Crownlift to 6 Metres		
Delegated Decision			
Application Number:	22/1628/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	24/01/2023
Location Address:	9 Cliff Bastin Close Exeter Devon EX2 5QW		
Proposal:	Rear and side ground floor extension and internal alterations.		

Delegated Decision	
Application Number: 22/1648/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2023
Location Address: Unit 1 Avocet Road Sowton Industrial Estate Exeter Devon EX2 7JF	
Proposal: Installation of 5 illuminated flexface signs and 1 set of 2 entrance signs.	
Delegated Decision	
Application Number: 22/1698/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 19/01/2023
Location Address: Howmet Ltd Kestrel Way Sowton Industrial Estate Exeter Devon EX2 7LG	
Proposal: Installation of Ground Mounted photovoltaic array.	
St Thomas	
Delegated Decision	
Application Number: 22/0415/FUL	Delegation Briefing: 14/04/2022
Decision Type: Refuse Planning Permission	Date: 07/10/2022
Location Address: 52A Church Road St Thomas Exeter Devon EX2 9BQ	
Proposal: Change of use from Tea room (Class E) to residential dwelling (C4).	
Delegated Decision	
Application Number: 22/0963/FUL	Delegation Briefing: 25/08/2022
Decision Type: Permitted	Date: 05/10/2022
Location Address: 5 Pinces Gardens Exeter Devon EX2 9ED	
Proposal: Single storey rear extension and replacement front porch.	
Delegated Decision	
Application Number: 22/1052/FUL	Delegation Briefing: 08/09/2022
Decision Type: Permitted	Date: 17/11/2022
Location Address: 58 Queens Road Exeter Devon EX2 9EP	
Proposal: Single storey side return and rear extension.	
Delegated Decision	
Application Number: 22/1073/FUL	Delegation Briefing: 18/08/2022
Decision Type: Refuse Planning Permission	Date: 24/10/2022
Location Address: 30 Barley Lane Exeter Devon EX4 1TD	
Proposal: Dormer roof extension.	

Delegated Decision	
Application Number: 22/1281/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/10/2022
Location Address: 98 Regent Street Exeter Devon EX2 9EJ	
Proposal:	Crown reduction to Lime Tree and Lawson Cypress (see attached sketch and previous granted planning application for details). These are halfway down our residential garden and both becoming too big for their setting. Work was previously carried out in 2016 and now needs repeating.
Delegated Decision	
Application Number: 22/1283/LPD	Delegation Briefing:
Decision Type: Permitted	Date: 06/10/2022
Location Address: 50 Wardrew Road Exeter Devon EX4 1HA	
Proposal:	No new access is to be created. The building works intended to be all under Permitted Development Rights and consist of:??? internal remodeling, layouts alterations, new stairs to loft and loft conversion; (Part 1, Class: A)??? repairs/alterations of existing roof and installation of roof window within the front elevation; (Part 1, Class: C)??? the new Velux dormers construction at the back of the house; (Part 1, Class: B)
Delegated Decision	
Application Number: 22/1307/FUL	Delegation Briefing: 06/10/2022
Decision Type: Permitted	Date: 08/11/2022
Location Address: 10 Dorset Avenue Exeter Devon EX4 1LY	
Proposal:	Single storey rear extension, rendering of side elevations.
Delegated Decision	
Application Number: 22/1309/FUL	Delegation Briefing: 06/10/2022
Decision Type: Permitted	Date: 08/11/2022
Location Address: 122 Wardrew Road Exeter Devon EX4 1EZ	
Proposal:	Single storey rear extension.
Delegated Decision	
Application Number: 22/1314/FUL	Delegation Briefing: 06/10/2022
Decision Type: Permitted	Date: 17/11/2022
Location Address: 15 Eton Walk Exeter Devon EX4 1FD	
Proposal:	Single story rear extension.
Delegated Decision	
Application Number: 22/1319/FUL	Delegation Briefing: 13/10/2022
Decision Type: Permitted	Date: 04/01/2023
Location Address: 6 Buddle Lane Exeter Devon EX4 1JG	
Proposal:	Rear raised patio area to rear extension

Delegated Decision			
Application Number:	22/1583/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	30/12/2022
Location Address:	24 Somerset Avenue Exeter Devon EX4 1LX		
Proposal:	Single storey rear extension and rear dormer.		
Delegated Decision			
Application Number:	22/1627/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	24/01/2023
Location Address:	30 Barley Lane Exeter Devon EX4 1TD		
Proposal:	Rear dormer and alterations.		
Delegated Decision			
Application Number:	22/1681/CTY	Delegation Briefing:	
Decision Type:	Raise No Objection	Date:	20/01/2023
Location Address:	Barley Lane School Barley Lane Exeter Devon EX4 1TA		
Proposal:	Devon County Council Consultation for additional fencing and retrospective fencing Ref: RT/DCC/4327/2022		
Topsham			
Committee Decision			
Application Number:	21/0496/FUL	Delegation Briefing:	03/02/2022
Decision Type:	Permitted	Date:	23/12/2022
Location Address:	Land At Ikea Way Ikea Way Exeter Devon		
Proposal:	Construction of 184 dwellings, means of access, public open space and associated infrastructure (Re-submission of refusal 19/1647/FUL - Revised Plans).		
Delegated Decision			
Application Number:	22/0218/FUL	Delegation Briefing:	10/11/2022
Decision Type:	Permitted	Date:	10/01/2023
Location Address:	52 Fore Street Topsham Exeter EX3 0HW		
Proposal:	Replacement balcony and fire escape, enlarged door opening, and remove render from chimney		
Delegated Decision			
Application Number:	22/0219/LBC	Delegation Briefing:	03/03/2022
Decision Type:	Permitted	Date:	10/01/2023
Location Address:	52 Fore Street Topsham Exeter Devon EX3 0HW		
Proposal:	Replacement balcony and fire escape, enlarged door opening, remove render from chimney, and internal alterations on 3rd floor		

Delegated Decision	
Application Number:	22/0269/FUL
Decision Type:	Permitted
Location Address:	Yeoman Gardens Newcourt Road Topsham Exeter Devon EX3 0BU
Proposal:	Residential development of 16 dwellings (including 35% affordable housing), access from Newcourt Road and associated works.
Delegated Decision	
Application Number:	22/0336/DIS
Decision Type:	Condition(s) Fully Discharged
Location Address:	Land Adjoining Exeter Road Exeter Road Topsham Devon
Proposal:	Discharge of conditions 3 (Access Arrangement, Proposed Cycleway Crossing), 4 (Tree protection fencing), 5 (CEMP), 7 (land contamination), 8 (Noise Assessment/Acoustic Design Statement), 11 (SAP), 12 (Waste Audit Statement) and 20 (Residential Travel Plan) of application no. 19/1465/OUT.
Delegated Decision	
Application Number:	22/0620/FUL
Decision Type:	Permitted
Location Address:	4 Endeavour Avenue Exeter Devon EX2 7GR
Proposal:	Conversion of attached single garage into a dwelling space.
Delegated Decision	
Application Number:	22/0657/DIS
Decision Type:	Condition(s) Fully Discharged
Location Address:	Land Adjoining Exeter Road Exeter Road Topsham Devon
Proposal:	Discharge of conditions 13 and 3 (surface water drainage details) of applications 19/1465/OUT and 21/1435/RES respectively.
Delegated Decision	
Application Number:	22/0794/FUL
Decision Type:	Permitted
Location Address:	36 The Strand Topsham Devon EX3 0AY
Proposal:	Single storey extension to existing outbuilding.
Delegated Decision	
Application Number:	22/0917/DIS
Decision Type:	Condition(s) Fully Discharged
Location Address:	Land Adjoining Exeter Road Exeter Road Topsham Devon
Proposal:	discharge Condition 4 of RM Consent 21/1435/RES (or 17 of Outline Consent 19/1465/OUT) relating to Proposed Materials

Delegated Decision	
Application Number: 22/0920/FUL	Delegation Briefing: 28/07/2022
Decision Type: Permitted	Date: 21/10/2022
Location Address: 43 Higher Shapter Street Topsham Exeter Devon EX3 0AW	
Proposal: Replacement dwelling and associated works.	
Delegated Decision	
Application Number: 22/0956/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 12/12/2022
Location Address: 1 Ikea Way Exeter Devon EX2 7RX	
Proposal: Non-Material Amendments to planning permission ref. 22/0158/FUL to provide a bollarded pedestrian area in front of the Click and Collect extension and to reduce the number of Click and Collect dedicated parking spaces from 27 to 16, and to alter the elevations.	
Delegated Decision	
Application Number: 22/0957/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 12/12/2022
Location Address: 1 Ikea Way Exeter Devon EX2 7RX	
Proposal: Non-Material Amendment to planning permission ref. 13/4525/01 (as amended by 22/0746/NMA) to change the wording of condition 14 from:"The development hereby approved shall include at least 960 car parking spaces unless otherwise agreed with the Local Planning Authority.Reason: In the interests of highway safety."To:"The development hereby approved shall include at least 957 car parking spaces unless otherwise agreed with the Local Planning Authority.Reason: In the interests of highway safety."	
Delegated Decision	
Application Number: 22/0982/FUL	Delegation Briefing: 11/08/2022
Decision Type: Permitted	Date: 02/12/2022
Location Address: 9 Higher Shapter Street Topsham Exeter Devon EX3 0AW	
Proposal: Single and two storey rear extension to replace existing lean-to.	
Delegated Decision	
Application Number: 22/0983/LBC	Delegation Briefing: 11/08/2022
Decision Type: Permitted	Date: 02/12/2022
Location Address: 9 Higher Shapter Street Topsham Exeter Devon EX3 0AW	
Proposal: Single and two storey rear extension to replace existing lean-to.	

Delegated Decision	
Application Number: 22/0986/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 03/10/2022
Location Address: 5 Gordon Road Topsham Exeter Devon EX3 0LJ	
Proposal: I have attached the WSI report from the archeologist for the council to consider so that the building work can commence.	
Delegated Decision	
Application Number: 22/0987/VOC	Delegation Briefing:
Decision Type: Permitted	Date: 04/10/2022
Location Address: 5 Gordon Road Topsham Exeter Devon EX3 0LJ	
Proposal: Variation of Condition 2 relating to application 20/1554/FUL; Seeks to change materials from tiles to masonry on the 1st floor of the side elevation.	
Delegated Decision	
Application Number: 22/1002/FUL	Delegation Briefing: 18/08/2022
Decision Type: Permitted	Date: 05/10/2022
Location Address: 29 Glasshouse Lane Exeter Devon EX2 7BX	
Proposal: Replacement exterior material; from Pre-cast Concrete to Masonry.	
Delegated Decision	
Application Number: 22/1020/FUL	Delegation Briefing: 25/08/2022
Decision Type: Permitted	Date: 11/11/2022
Location Address: 19 Mulligan Drive Exeter Devon EX2 7SJ	
Proposal: Convert detached garage to home office and gym (application revised 19 October 2022 to omit sleeping accommodation, front dormer and wall infill).	
Delegated Decision	
Application Number: 22/1027/FUL	Delegation Briefing: 06/10/2022
Decision Type: Permitted	Date: 05/12/2022
Location Address: Land To Rear Of 4 Lower Shapter Street Topsham Devon	
Proposal: Partial demolition of boundary wall to create wider access.	
Delegated Decision	
Application Number: 22/1059/FUL	Delegation Briefing: 18/08/2022
Decision Type: Permitted	Date: 13/10/2022
Location Address: 17 Retreat Road Topsham Exeter Devon EX3 0LF	
Proposal: Installation of an air source heat pump including construction of outbuilding (separate to the house) to store water tanks and solar pv control system and batteries.	

Delegated Decision			
Application Number:	22/1064/FUL	Delegation Briefing:	18/08/2022
Decision Type:	Permitted	Date:	11/10/2022
Location Address:	5 Sunhill Lane Topsham Exeter Devon EX3 0BR		
Proposal:	Part single and part two storey rear extension.		
Delegated Decision			
Application Number:	22/1119/FUL	Delegation Briefing:	15/09/2022
Decision Type:	Permitted	Date:	21/10/2022
Location Address:	3 Bridgehill Garth Topsham Exeter Devon EX3 0ER		
Proposal:	Rear extension, replacement windows, and patio with retaining wall.		
Delegated Decision			
Application Number:	22/1129/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	19/10/2022
Location Address:	Land To The North Of Exeter Road Exeter Road Topsham Devon		
Proposal:	discharge of condition 15 (specification of the building services plant and kitchen ventilation) relating to application ref 21/0882/FUL		
Delegated Decision			
Application Number:	22/1143/FUL	Delegation Briefing:	01/09/2022
Decision Type:	Permitted	Date:	18/10/2022
Location Address:	18 Mountbatten Drive Exeter Devon EX2 7GQ		
Proposal:	Addition of conservatory to existing house.		
Delegated Decision			
Application Number:	22/1173/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	03/11/2022
Location Address:	Land At Clyst Road Clyst Road Topsham Exeter Devon		
Proposal:	discharge of Condition 6 - SAP Calculations relating to planning application 21/0401/FUL		
Delegated Decision			
Application Number:	22/1180/FUL	Delegation Briefing:	22/09/2022
Decision Type:	Permitted	Date:	08/11/2022
Location Address:	7 Orchard Way Topsham Exeter Devon EX3 0LB		
Proposal:	Front and rear extension, associated internal remodelling.		

Delegated Decision	
Application Number: 22/1188/LBC	Delegation Briefing: 13/10/2022
Decision Type: Permitted	Date: 11/01/2023
Location Address: 30 Elm Grove Road Topsham Exeter Devon EX3 0EQ	
Proposal: Removal of non-original wall in basement.	
Delegated Decision	
Application Number: 22/1214/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 05/10/2022
Location Address: Yen Dor Old Rydon Lane Topsham Exeter Devon EX2 7JW	
Proposal: Replacement of current terracotta coloured tiles with slate tiles	
Delegated Decision	
Application Number: 22/1216/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 21/10/2022
Location Address: 7 North Street Topsham Exeter Devon EX3 0AP	
Proposal: Solar panels installed on south front elevation of roof.	
Delegated Decision	
Application Number: 22/1222/FUL	Delegation Briefing: 06/10/2022
Decision Type: Permitted	Date: 11/11/2022
Location Address: 39 Elm Grove Road Topsham Exeter Devon EX3 0EJ	
Proposal: Replacement roof covering and hanging tiles on dormer, gable end and rear elevation.	
Delegated Decision	
Application Number: 22/1233/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 17/10/2022
Location Address: The Mews Bowling Green Road Riversmeet Topsham Exeter Devon EX3 0BE	
Proposal: Amendment to Front Elevation Windows.	
Delegated Decision	
Application Number: 22/1306/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 01/12/2022
Location Address: 6 Tresillian Gardens Topsham Exeter Devon EX3 0BA	
Proposal: Work to two Limes Crown reduce both Limes by 3 to 4m and shape. Remove epicormic growth up to main fork allowing upper growth to fill out lower crown.	

Delegated Decision	
Application Number: 22/1310/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 01/12/2022
Location Address: 7 Tresillian Gardens Topsham Exeter Devon EX3 0BA	
Proposal:	Work to two Limes T1 Lime - adjacent to road, crown lift by approximately 2 metres and thin out remaining crown. T2 Lime - adjacent to garage, crown reduce by approximately 3 to 4 metres to the height of the roadside lime. Remove epicormic growth up to main crown.
Delegated Decision	
Application Number: 22/1349/CAT	Delegation Briefing:
Decision Type: Permission not required	Date: 01/12/2022
Location Address: Garden Cottage Station Road Topsham Exeter Devon EX3 0DT	
Proposal:	T1 - Weeping Willow - Re-Pollard as before to existing knuckles approx 4m in height.
Delegated Decision	
Application Number: 22/1364/CONR	Delegation Briefing:
Decision Type: Permitted	Date: 16/11/2022
Location Address: Manadon Tresillian Gardens Topsham Exeter Devon EX3 0BA	
Proposal:	Application Reference Number: 21/1286/FUL and 22/0456/CONR Date of Decision: 28/09/2021 Condition Number(s): Condition 2. Conditions(s) Removal: Client wishes Upgrading glazing and architectural/ structural glazing.
Delegated Decision	
Application Number: 22/1369/LBC	Delegation Briefing: 03/11/2022
Decision Type: Permitted	Date: 13/12/2022
Location Address: 18 The Strand Topsham EX3 0AS	
Proposal:	Replacement of up-and-over garage door with similar; same dimensions and colour.
Delegated Decision	
Application Number: 22/1370/FUL	Delegation Briefing:
Decision Type: Withdrawn Returned (unlikely to be det.)	Date: 03/10/2022
Location Address: 18 The Strand Topsham EX3 0AS	
Proposal:	Replacement of up-and-over garage door with similar; same dimensions and colour.
Delegated Decision	
Application Number: 22/1373/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 05/01/2023
Location Address: 4 Fore Street Topsham Exeter Devon EX3 0HF	
Proposal:	Remove existing rear addition and infill conservatory and replace with open plan single storey extension under a flat roof.

Delegated Decision	
Application Number:	22/1404/FUL
Delegation Briefing:	10/11/2022
Decision Type:	Refuse Planning Permission
Date:	06/01/2023
Location Address:	Trees Court Studio Victoria Road Topsham Exeter Devon EX3 0EU
Proposal:	Proposed change from window to window and external door.
Delegated Decision	
Application Number:	22/1405/LBC
Delegation Briefing:	10/11/2022
Decision Type:	Refuse Planning Permission
Date:	06/01/2023
Location Address:	Trees Court Studio Victoria Road Topsham Exeter Devon EX3 0EU
Proposal:	Proposed change from window to window and external door.
Delegated Decision	
Application Number:	22/1442/LPD
Delegation Briefing:	
Decision Type:	Permitted
Date:	26/10/2022
Location Address:	Old Stores House 17 Exeter Road Topsham Exeter Devon EX3 0LQ
Proposal:	Replacement of conservatory with new extension structure. Refer to attached plans and covering letter.
Delegated Decision	
Application Number:	22/1451/CAT
Delegation Briefing:	
Decision Type:	Permitted
Date:	07/11/2022
Location Address:	43 Higher Shapter Street Topsham Exeter Devon EX3 0AW
Proposal:	Tree A - Twisted willow - Located close to the boundary between 43 Higher Shapter Street and the passage between us and 39 Higher Shapter Street. In the rear garden of 43 Higher Shapter Street about 5 metres behind the house. Permission required for tree to be pollarded as it gets too large and was pollarded 4 years ago before we owned the house. As planning permission lasts five years, is it possible for this permission to include permission to Pollard again in another 4 years? Tree B - Silver Birch - This has grown into the telegraph wires above it. Permission is requested to reduce the height of this to 2 metres below the wires. Tree C - Pear tree with rust spot infection (see photo). Permission to cut back the infected part of the tree to encourage new rust free growth.

Delegated Decision	
Application Number:	22/1489/CAT
Decision Type:	Permitted
Location Address:	The Flat Broadway House 35 High Street Topsham Exeter Devon EX3 0ED
Proposal:	T1 ? Birch, crown reduce by 1.5m and crown lift to comply with the Highways Act 1980. Maximum diameter of cut (MDC) 40mm T2 ? Evergreen Magnolia, Crown reduce slightly by approximately 1m and remove one low southerly branch. MDC 25mm & 50mm Reason for works: T1 has become particularly large and ungainly, works are considered appropriate arboricultural management and to comply with the Highways Act 1980 T2 is a light prune which will have a minimal affect on the tree, appropriate arboricultural management
Delegated Decision	
Application Number:	22/1490/CAT
Decision Type:	Permitted
Location Address:	Topsham Fire Station Fore Street Topsham Exeter Devon EX3 0HF
Proposal:	T1 - Silver birch - Reduce in height by approximately 2 metres. Prune sides to shape. Tree is starting to outgrow its space and encroaching on to adjacent building. A reduction of the canopy will prevent this and retain the tree's aesthetic value. G2 - Sorbus and pterisporum dismantle and fell to ground level. Both are low amenity value trees growing in close proximity to adjacent building.
Delegated Decision	
Application Number:	22/1530/CAT
Decision Type:	Permitted
Location Address:	Station House Station Road Topsham Exeter Devon EX3 0DS
Proposal:	crown lift of up to 3 metres from ground level to allow safe access for pedestrians beneath row of trees along the platform and track
Delegated Decision	
Application Number:	22/1545/CAT
Decision Type:	Permitted
Location Address:	10 Orchard Way Topsham Exeter Devon EX3 0LB
Proposal:	Removal of cedar tree to prevent structural damage to property.
Delegated Decision	
Application Number:	22/1588/LBC
Decision Type:	Refuse Planning Permission
Location Address:	12 High Street Topsham Exeter Devon EX3 0EA
Proposal:	Removal of chimney stack at rear.

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 8th February 2023
Report of: City Development Strategic Lead
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

- 3.1 [22/0449/FUL](#) – 4 Lymeborne Avenue – *Single storey rear extension and alteration.*

This application for a single-storey rear extension was refused under delegated powers following consultation with Members at Delegation Briefing for the following reasons:

- i) It would have an overbearing, overshadowing and looming impact and adversely affect the natural light and outlook enjoyed by the neighbouring property at 3 Lymeborne Avenue, which, therefore, does not allow existing or future occupiers to feel at ease within their home or garden; and,
- ii) It would relate poorly to the original dwelling's design, character, and appearance.

The Inspector considered that the proposal would be of a design, massing and materials which would respect the host dwelling and its locality. It would not be a disproportionately dominant or prominent feature, being in a discreet location. It would be consistent with the various rear single-storey elements of the neighbouring properties.

The appeal was allowed.

- 3.2 [22/0320/FUL](#) – 7 Rexona Close - *Single storey side and rear extension.*

This appeal for a single storey side and rear extension was refused because of the loss of light and outlook to the neighbouring house, and that it would fail to be subservient to the original house.

The Inspector agreed the impact on the neighbouring property, particularly loss of outlook was unacceptable.

The proposed extension to the side and rear would be considerably larger than others in the area. Owing to the angle of the property, the side of the extension would be in public view and would read as a large addition to what is a modest original dwelling. Even if the full extent of the extension could not be seen from a public vantage point, the extension would still dominate the plot size, and would therefore not be subservient to the original dwelling.

The appeal was dismissed.

3.3 [21/1796/FUL](#) – **1A Rosebarn Avenue** - *new dwelling with associated access and parking.*

This application for a new detached dwelling was refused because:

- i) by virtue of the siting, design, and materials, the proposed dwelling would present a poorly designed form of development, that would be an overdevelopment of the site, and would not sit comfortably within the established character of the local area;
- ii) by virtue of fenestration design and position, and internal layout, the first floor would have a limited outlook, which would harm the living conditions and standards of residential amenity for future occupiers of the proposed dwelling; and
- iii) by virtue of position, height, massing and design, the proposed dwelling would have an overbearing impact on 1 Rosebarn Avenue and 170 Pennsylvania Rd, and a loss of outlook for 1 Rosebarn Avenue, which would be detrimental to the residential amenity, and to the ability of existing and future occupiers of those properties, to feel at ease within their home and garden.

The inspector concluded the proposal did not harm the character and appearance of the area; the fenestration design would not be contrived and would provide a satisfactory living environment; and given its central position in the plot and use of obscured glazing, would not harm neighbours amenity.

The appeal was approved. The application for costs was dismissed.

3.4 [21/0223/OUT](#) – **Land At Home Farm Between Church Hill And Park Lane** - *Outline planning application for the construction of up to 61 dwellings and associated infrastructure.*

Following a Hearing on 25 October 2022, the appeal was dismissed.

The application was refused by the Council, due to the conflict of the proposed development with Policy CP16 and saved Policy LS1 for harming the character and local distinctiveness of the hills to the north of the city, and the landscape setting of the city. The site is the field to the north of the Home Farm development in Pinhoe, which was allowed at appeal in 2014. It forms the upper part of the slope and is visible in the wider area. Whilst there is already some historic development along the Beacon Hill ridgeline, the proposed development would have effectively infilled and urbanised this part of the ridge. The developer argued that the proposal was a 'rounding off' of the edge and would be mitigated by planting over time, and the context was already urbanised.

Having viewed the site from all the viewpoints in the Landscape and Visual Assessments of the developer and Council, as well as those suggested by interested parties, the Inspector considered that 'the development would have a detrimental effect on the landscape setting of the city through its urbanisation and the resultant effect this would have on views, particularly towards the site, which despite recent development, have not been affected to a great extent'.

The Inspector went on to state that the previous appeal decision/judgement for Home Farm was a material consideration and whilst the built environment has changed since then the importance of the upper slopes to the setting of the city has not diminished. He also noted the strong rural character and high scenic quality of the area, which provides an attractive setting to the city. He considered that the proposed development would have a significant visual impact, particularly in views where it may punctuate the ridgeline.

As landscaping was a reserved matter, there was no certainty that tree planting would soften the appearance of the development. The Inspector did not agree in any case that a

planting scheme, which would take some 15 years to mature, would provide suitable or sufficient mitigation to counteract the harm of residential development of the site. Additionally, he was not convinced that future reserved matters submissions in accordance with the submitted parameter plan and limiting the height of the dwellings would ensure the acceptability of the proposal.

He concluded that the proposed development would create very significant harm to the character and appearance of the site and the surrounding area, with particular regard to the landscape setting of the city, and therefore the application conflicted with the character and appearance aims of Policies CP16 and LS1, as well as paragraphs 130 and 174 of the NPPF. Whilst he acknowledged that the Council does not currently have a five year land supply of deliverable housing sites being within the range of approximately 4.0 to 4.1 years, and the 'tilted balance' within the presumption in favour of sustainable development in the NPPF was therefore engaged, in this instance the significant visual harm of the proposal 'significantly and demonstrably' outweighed the benefits of delivering new market and affordable homes on the site, which themselves were afforded significant weight in the planning balance, and the significant economic benefits accruing from the construction and operational phases. Therefore, the proposal was contrary to the development plan and there were no material considerations to outweigh this conflict.

Whilst the application was also refused due to the absence of a s106 legal agreement to secure 35% affordable housing and other infrastructure, the Inspector dismissed this reason following the submission of a Unilateral Undertaking during the appeal securing the necessary infrastructure.

4. New Appeals

- 4.1 [21/1028/FUL](#) – **6 Matford Road** – *Demolition of existing bungalow and garage, and construction of two storey dwelling.*
- 4.2 [21/1122/FUL](#) – **32 Okehampton Street** – *Redevelopment of site including construction of 8 dwellings (Class C3), access road and landscaping.*
- 4.3 [22/0449/FUL](#) – **4 Lymeborne Avenue** – *Single storey rear extension and alteration.*
- 4.4 [22/0153/FUL](#) - **Land to the South of 15 The Fairway** – *New dwelling.*
- 4.5 [22/1073/FUL](#) – **30 Barley Lane** – *Dormer roof extension.*

Ian Collinson
Director of City Development

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

Background papers used in compiling the report:

Letters, application files and appeal documents referred to in report are available for inspection from: City Development, Civic Centre, Paris Street, Exeter

Contact for enquiries: Democratic Services (Committees) - Tel: 01392 265275

This page is intentionally left blank