

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 27 July 2015
Report of: Assistant Director City Development
Title: Appeals Report

Is this a Key Decision?

No

Is this an Executive or Council Function?

No

1. What is the report about?

- 1.1 The report provides Members with information on the latest appeal decisions received and a record of new appeals submitted to the Planning Inspectorate.

2. Recommendation:

- 2.1 Members are asked to note the report.

3. Summary of decisions received

- 3.1 Application Ref: 15/0012/03 – 37 Birch Barton Hill, EX1 3EX – Appeal Dismissed

The proposal sought permission to provide additional living accommodation. The Inspector comments that scheme would considerably enlarge the existing property and markedly alter its design and appearance; the new slate gabled roof/ large windows at first and second floor level and the use of timber cladding would be very different to the houses on either side; some of the bedrooms would be below the Council's recommended size. He did not consider overlooking to be an issue but considered the increase in height of the flank wall would be likely to create an overbearing and oppressive outlook for the neighbours and unacceptable living conditions. The Inspector also considered the scheme would conflict with national planning policies that require a good standard of amenity for existing occupiers of buildings.

Application Ref: 14/4747/04 – 2 Ely Close, EX4 2EY – Appeal Dismissed

The application sought to remove tree T1, a Monterey Pine, of the Tree Preservation Order. It is sited close to the feeder road (which changes from Lichfield Road to Gloucester Road by the tree) and is prominent in views from these and adjacent residential roads. It is one of the few larger trees and is valuable as an evergreen in an otherwise deciduous setting. The Inspector considered that the tree makes a significant contribution to the appearance and setting of the area. He considered its size, health, location and constraint on the use of the garden area. His conclusion was that the tree makes a major contribution to the appearance and setting of the area. The tree covers a proportion of the rear garden and will cause some loss of enjoyment of the property but he considered that sympathetic tree surgery may be capable of improving this relationship without destroying the amenity it provides. It will affect the use of the garden and will drop debris in season but not to a degree which provides strong support for the proposed work.

4. New Appeals

- 4.1 Notification has been received for one new appeal. It relates to land at Salters Road adjacent to Ruby Court, Exeter (ref 14/4734/03) where the applicant sought permission for a one bedroom single storey dwelling.

5. Public Inquiries

- 5.1 The Waddeton Park Limited Inquiry at Exeter Road, Topsham will take place on 24 November.
- 5.2 The Honiton Road mixed use development Inquiry will take place in the first week of December.

Assistant Director City Development

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

Background papers used in compiling the report:

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

Contact for enquiries
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