

REPORT TO: PLANNING COMMITTEE

Date of Meeting: 9 JANUARY 2017

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 latest decisions received and new appeals since the last report.

2. Recommendation:

- 2.1 Members are asked to note the report.

3 Summary of Decisions received:

- 3.1 Two decisions have been received:

14 Fore Street, Topsham – dismissed (15/1062/03 and 15/1063/07). The applicant sought to convert part of the rear of the premises to a dwelling.

The proposal for both planning and listed building consent was to convert part of the rear of premises to dwelling. The applications were refused on unacceptable living conditions and insufficient information on how the proposal would achieve high standards of sustainable design.

The Inspector concluded that Exeter has no current local plan policy that refers to national space standards. In the absence of adopted policy including the national space standards (DD13 is not adopted), he felt the internal space was adequate. While the garden space did not meet the SPD standards, he felt the proposed courtyard was acceptable for the town centre location. Despite the single aspect outlook, he concluded that the level of outlook and the level of natural light was acceptable.

In terms of sustainability, he concluded the proposed development, in the absence of sufficient information, would have an unacceptable impact on the environment. As such, the proposal was contrary to policy CP15 and the SPD. On this basis, the appeal was dismissed.

Land at Pocombe Orchard, Tedburn Road – dismissed (16/0797/03). The applicant sought permission for one new dwelling.

The Alphin Brook runs along the entire length of the site. The site also lies within a Valley Park, is designated as Landscape Setting and has nature conservation value. There is currently no residential development on this side of the road although there is a continuous line of properties on the other side of the road which lie within the TDC area.

Whilst recognising that Exeter currently does not have a 5 year land supply, the Inspector acknowledged that he could not be certain that the proposal would be appropriately flood resilient and resistant, would be incongruous in its rural setting

and the removal of frontage hedgerows to achieve suitable access visibility would further domesticate the rural characteristics of the site therefore conflicting with Policies LS1, L1, CP12 and EN4.

As no reports on wildlife and nature conservation were submitted, the Inspector could not find that the proposal would result in any significant harm to wildlife and nature and therefore did not find conflict with Policy LS4. For the reasons given above and with regard to the development plan as read as a whole and to the Framework, he concluded the appeal should be dismissed.

4. New Appeals:

4.1 One new appeal has been received:

East Yard, Ide Lane, Pocombe Bridge (16/0797/03)

The application sought the retention of a storage building erected on the site of a previous structure.

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

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