

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 26 JUNE 2017
Report of: City Development Manager
Title: Appeals Report

Is this a Key Decision?

No

Is this an Executive or Council Function?

No

1. What is the report about?

- 1.1 The report provides Members with information on latest decisions received and new appeals since the last report.

2. Recommendation:

- 2.1 Members are asked to note the report.

3 Summary of Decisions received:

- 3.1 Two decisions have been received since the last report.

Application Ref: 16/0076/03 - Land between Nos 39-41 Toronto Road

This appeal follows unsuccessful application Ref 14/4657/03 which was for a 3 storey building of 5 apartments. The application had been refused on the grounds that the site was not large enough to accommodate the proposed development, and as a consequence it would result in:

- A poor standard of amenity for neighbours
- A poor quality of amenity for future occupiers
- A potential impact on health of a protected tree within a conservation area
- Failure to protect and enhance biodiversity on site

This latest application sought permission for demolition of the garages to be replaced by a 2 storey development of 6 apartments.

The Inspector considered that the main issues were:

- 1) whether or not the apartments proposed would provide for suitable living conditions for their intended future occupants,
- 2) the effect of the proposal on the living conditions of the occupants of nearby properties with particular regard to outlook and privacy,
- 3) the effect of the proposal on the character and appearance of the area, and
- 4) the effect of the proposal on the efficient operation of Toronto Road.

In respect of each of these four issues, he concluded that:

- 1) the apartments would not provide sufficient or suitable internal or external outside space. Furthermore, the sense of enclosure within the ground floor flats would not represent high quality design. He therefore concluded that the apartments proposed would fail to provide for suitable living conditions for their intended future occupants.
- 2) the proposal would, by reason of overlooking, adversely affect the privacy of the occupants of Laurel Cottage, which adjoins the site.
- 3) by reason of the potential loss of a large mature lime tree near to the site, the proposal may harm the character and appearance of the area, including that of the Belmont Conservation Area
- 4) by reason of the width of this part of Toronto Road, and increased pressure on parking, the proposal would have some degree of adverse effect in respect of the efficient operation of Toronto Road.

In respect of ecology, the Inspector felt that he could not conclude that the proposal would be acceptable, but he felt this issue to be neutral and would not have justified dismissal of the appeal if all other issues were found to be acceptable.

In concluding remarks, the Inspector accepted that the proposal would result in an addition to housing stock of 6 new dwellings, making use of an existing utilitarian garage block. The proposal would further result in social and economic benefits in supporting employment during construction, and as future occupants would make use of local services and facilities.

However, in his view, the benefits in respect of 6 new homes would be modest, particularly relative to the scale of housing growth in Exeter set out in policy CP1 of the Core Strategy. Moreover the support accorded to housing via the Council's planning policies is not at the expense of ensuring that all dwellings integrate appropriately with their surroundings. Consequently the harm that would result in respect of the main issues in this case would clearly outweigh the benefits of the proposal.

Accordingly the appeal was dismissed.

Application No: 16/1666/05 – Evans Halshaw, Silverton Road

This application sought a freestanding V shaped board sign has been dismissed.

The sign was refused due to size, siting and design being detrimental to the surrounding streetscene. Each side of the sign measures approx. 6.3m by 5m and is significantly higher and larger than other neighbouring signs.

The Appellant argued that there are several other dealerships in the area all of which have large, illuminated, free standing signs and that the appeal sign is not any more or less intrusive than these other signs. He also stated that the size of the sign is necessary to enable the Appellant's dealership, which is bringing much needed new employment to the area, to be seen over shrubbery and trees.

The Inspector stated that its height and size would appear out of place both in relation to neighbouring signs, for example, the signage for the Medical Eye Clinic on the opposite side of Silverton Road; and to the scale of the landscaping both on and surrounding the site. It would therefore be unduly prominent within the streetscene. Although the sign was not illuminated at the time of his visit, lighting would reinforce its prominence and visual impact. On the basis of the above considerations he concluded that the sign would be harmful to the character and appearance of the surrounding area.

The Inspector considered that a smaller sign, more in keeping with the nearest neighbouring signs, would be clearly seen in this landscaped context and that the size of the existing appeal sign was not necessary in order to be seen. He was not persuaded by any evidence that such a large sign was necessary to bring employment to the site.

4. New Appeals:

4.1 Two new appeals have been received:

2 Lymeborne Avenue, Exeter. EX1 3AU – Application Ref: 16/1390/03
Retrospective application for first floor extension to garage/outbuilding

3 Lymeborne Avenue, Exeter, EX1 3AU – Application Ref: 16/1391/03
Retrospective application for first floor extension to garage/outbuilding

CITY DEVELOPMENT MANAGER

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

Background papers used in compiling the report:

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

Contact for enquiries

Democratic Services (Committees)

Room 2.3. Tel: 01392 265275