

## **PLANNING COMMITTEE**

Monday 10 December 2007

### Present:-

Councillor Rachel Lyons (Chair)  
Councillors Choules, P Brock, Fullam, Mrs Henson, Mitchell, Moore, D J Morrish, Robson, Shepherd, Shiel and Wadham

### Also Present

Director Economy and Development, Head of Planning Services, Planning Solicitor, Development Control Manager, Technical Officer and Member Services Officer (SJS)

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### **DECLARATIONS OF INTEREST**

Members declared the following personal (\*prejudicial) interests:-

<b>COUNCILLOR</b>	<b>MINUTE</b>
Councillor Choules	154 (lives in the vicinity)
Councillor Mrs Henson	155 (knows the applicants parents)
Councillor Robson	155*(lives adjacent to the site)

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### **PLANNING APPLICATION NO.07/1685/03 - REDHILLS HOUSE, EXWICK ROAD, EXETER, EX4 2DA**

The Development Control Manager presented the application for change of use from non-residential day centre to supported living units at Redhills House, Exwick.

The unit would be run by the Amethyst Second Chance Charity to house ex-offenders from Dartmoor Prison. There would be a maximum of 11 residents at any one time and it would be staffed 24 hours a day.

This facility would provide an environment to enable ex-offenders to return to the community and provide them with social skills and a support network. The residents would be released on licence and it was expected that they would stay at the unit from between 3 to 6 months with the maximum length of time being 12 months.

The Development Control Manager reported that 26 further objections had been received, on the grounds outlined in the report, which was mainly the fear of crime and disorder. Also one letter of observation had been received which suggested a condition restricting the use to Amethyst Second Chance.

A letter dated 6 December 2007 had been received from Chief Inspector Brigden of Devon and Cornwall Constabulary (a full copy of that letter was circulated to Committee Members).

The Development Control Manager in response to the appropriateness of the suggested additional security measures in the letter from Chief Inspector Brigden informed the Members that:-

- CCTV coverage of internal and external areas - Circular 11/95 relating to the use of conditions in planning permission required that conditions be reasonable. It would usually be considered unreasonable to require capital monies to be spent on a temporary permission. However, in this instance, given the sensitivity of the proposal, it was considered that the installation of CCTV cameras would be appropriate and a condition was recommended;
- 2m high fencing - this would be unacceptable in terms of the impact on the setting of the listed building and also failed to meet the test contained in Circular 11/95 in terms of reasonableness;
- Secure car parking - this was considered to be inappropriate given that the consent was on a temporary basis. Further, it was considered that such works would be detrimental to the character and setting of the listed building;
- Routes in and out of site - this required a possible reconfiguration of the internal layout of the building which was considered unreasonable and could be detrimental to the character of the listed building;
- Security key management system - this would be unenforceable and unrelated to land use and would therefore be contrary to Circular 11/95: Use of Conditions in Planning Permission;
- Alarming of windows and doors – this was an acceptable condition;
- Regular contact between Devon & Cornwall Constabulary and Amethyst - this was not a land use issue and therefore could not be dealt with by way of condition.

The Development Control Manager informed Members that an email dated 10 December 2007 has also been received from the Chief Inspector who had confirmed that he would not formally object to the granting of planning permission on a temporary basis.

Comments had been received from the Housing Enabling Manager. They were:-

- the building was currently used as a day centre and the proposed use was relatively intensive. Alternative uses might involve reduced or zero housing supply therefore the impact on housing supply was positive;
- the expectation was that there would be some increase in housing demand but, in the context of the overall pressures on housing in the city, this would be slight;
- as the project was to provide housing to those who would otherwise be homeless, it was reasonable to expect a reduction in homelessness in the city. Moreover, the regime within the project should prepare people better for independent living and make subsequent episodes of homelessness less likely. If the project fulfilled its aim, it could be expected to have a positive impact on homelessness;
- the level of housing management within the proposed project and the sanctions available seem to make housing management issues unlikely.

The Housing Enabling Manager stated that the project could be seen as making a positive contribution to housing in the city provided delivery was in accordance with the vision. Any risks would stem mainly from the implementation differing from the vision.

A letter dated 28 November 2007 had been received from the County Director Environment, Economy and Culture which stated the means of access, together with the existing off-street parking provision comprising six spaces were considered adequate to serve the proposed use and therefore he did not recommend that any conditions were attached to any permission. The Director Environment, Economy and Culture had no objection to the proposed development.

The recommendation was approval with 3 additional conditions regarding a 12 months temporary permission, installation of CCTV and alarming of all doors and windows.

Councillor Boyle having given notice under Standing Order no. 44 spoke on this item. He raised the following points:-

- was representing local residents who formally opposed the proposed use
- this development was on a busy through route used by children attending schools in the area
- this was a high density residential area and this proposal was out of keeping with the character of the area
- it was likely that the potential residents would have drug and alcohol problems and this development was opposite a pub
- understood that Amethyst Second Chance had a 20% better success rate than other such organisations but that this was the wrong location for such a unit
- would have a detrimental effect on the community
- the Chief Inspector's response came in too late and in his correspondence he stated that the proposal could pose some problems with regards to crime and disorder
- requested that the meeting go into Part II i.e. exclude the press and public as he wanted to inform the Committee of further confidential information to support the case opposing this application.

The Planning Solicitor advised the Committee with regards to the implications of going into Part II session and how this may be perceived by the public attending the meeting.

The Members voted against going into Part II session.

Councillor Hannaford having given notice under Standing Order no. 44 spoke on this item. He raised the following points:-

- supported Councillor Boyle
- understood that ex-offenders needed rehabilitation facilities and that it was anticipated that 6 out of the potential 11 residents would not re-offend
- this was the wrong location for such a proposal
- 53 letters of objection and a petition had been received
- the letter from the Chief Inspector stated that he thought the proposal could cause problems
- the fence and the security to the staff car park proposed by the Chief Inspector could not implemented because it was a listed building
- the front doors to 10 and 12 Exwick Road were only a few feet away
- the proposal was close to 2 local primary schools and there was a bus stop around the corner which was heavily used by children
- the local children have used the car parking and grounds to play in

- the proposal was just opposite a pub, betting shop and off-licence
- asked the Committee to refuse this application.

Ms James (applicant) spoke in support of the application. She raised the following points:-

- asked the Committee to support the proposal
- this would provide a stable environment to help ex offenders reintegrate back into the community and prevent re-offending
- no sex offenders would be accommodated in the unit
- there would be a zero tolerance to drug and alcohol use
- if all ex-offenders could look forward to was sleeping on the streets they would be more likely to re-offend
- this proposal would be the first step to a less chaotic life style
- the residents would learn social skills to enable them to integrate into society
- experienced key workers would be on the premises 24 hours a day.

In answer to questions from the Members Ms James clarified that:-

- this was the first such project for Amethyst Second Chance but they had been working with prisoners at Dartmoor Prison
- the organisation was an independent charity
- the residents would have to be 'clean' for 3 months before they would be released on licence
- that majority of offenders' problems were generated by drug and alcohol abuse
- the majority of residents would have a connection with the Exeter area
- the residents would be released on licence and would return to prison if the terms of their licence were broken
- each resident would have a Probation Officer who would be contacted immediately should the terms of the licence be broken
- Amethyst Second Chance had a meeting with the Community Police in the area over 2 months ago.

Some Members stated that although they supported the concept of the unit they were of the opinion that this site was a wholly unsuitable location given that it was in a high density residential area, near local schools and on a major pedestrian through route. They had concerns that this proposal would lead to an increase in crime and disorder and the comments of the Chief Inspector regarding crime and disorder were highlighted. They also felt that the Community Safety Partnership's (CSP) views should have been sought on this proposal. A motion that the application be deferred to enable to CSP to be consulted was lost.

Other Members supported the proposals given the additional conditions proposed including the 12 months temporary condition.

In answer to a question from a Member, the Development Control Manager confirmed that the Chief Inspector had first been consulted on the application on 7 October 2007.

**RESOLVED** that planning permission for change of use from non-residential day centre (Class D1) to supported living units (Class C2) be approved subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) The use hereby permitted shall be carried on only by Amethyst Second Chance and shall cease at such time as the aforementioned person cease to occupy the site.  
**Reason:** To enable the proposed use by the applicant to be monitored.
- 3) The use hereby approved shall cease within 12 months of the date of this permission.  
**Reason:** To enable the impact of use to be assessed.
- 4) No development shall take place until a scheme for CCTV coverage of both the external and internal areas of the site has been submitted to and approved by the Local Planning Authority. Thereafter the CCTV system shall be installed and maintained entirely in accordance with the approved scheme for the duration of the use.  
**Reason:** In the interests of security
- 5) No development shall take place until a scheme for alarming all windows and doors of the property has been submitted to and approved by the Local Planning Authority. Thereafter the approved alarm system shall be retained in an operational manner for the duration of the use.  
**Reason:** In the interests of security.

(Report circulated)

153 **LISTED BUILDING CONSENT APPLICATION NO.07/1975/07 - REDHILLS HOUSE, EXWICK ROAD, EXETER, EX4 2DA**

The Development Control Manager presented the listed building consent application for internal alterations to walls and doors at Redhill House, Exwick.

He reported that the provision of external waste pipes had now been removed from the application and that the proposal was for internal works only. He informed Members that the internal fabric of the building had been modernised over the years in a less than sympathetic way and that this proposal did not have any historic impact on the fabric of the building.

**RESOLVED** that listed building consent for internal alterations to walls and doors be approved subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To comply with section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 19 October 2007 (unnumbered), as modified by other conditions of this consent.

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

3) Details of the construction and finish of all new doors shall previously have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To protect and preserve the character of the listed building.

4) Prior to commencement of works, details of all extractor fans, including their position internally and externally, and specifications of the same, shall have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To protect and preserve the character of the listed building.

(Report circulated)

154 **PLANNING APPLICATION NO.07/1656/03 - 4-6 COUNTESS WEAR ROAD,  
EXETER, EX2 6LG**

Councillor Choules declared a personal interest as he lives in the vicinity.

The Head of Planning Services presented the application for redevelopment to provide 10 dwellings and garages, parking, access to highway and associated works at 4-6 Countess Wear Road.

This site already had planning approval for 10 dwellings in 2 terraces of 5, and this application was for the provision of dormer windows to replace rooflights in the rear of the properties to serve a bedroom.

21 representations had been received but only 2 of these related to the overlooking and visual impact of the proposed dormer windows.

Members' attention was drawn to the fact that the submitted drawings included 2 roof lights on the rear of each property in addition to the dormer windows. These roof lights would serve a landing and en-suite to one of the top floor rooms. These roof lights were considered visually acceptable and would not lead to any significant overlooking of adjoining properties.

A further letter of objection had been received referring to the implications of the development in terms of additional pressure on existing on-street parking facilities, particularly in terms of impact on the continued functioning of the Church.

The recommendation was for approval subject to conditions.

Councillor Sheldon having given notice under Standing Order no. 44 spoke on this item. He raised the following points:-

- was representing local residents
- the plans on the internet of the previous approval were not correct as they gave the impression that the level of parking would be greater
- the proposed dormer windows would cause overlooking

- the developer was not adhering to the “hours of construction” condition and was starting at 7.30am.

Mr Daurge spoke in opposition to the application. He raised the following points:-

- 500 residents were affected by this development
- the issues were the dormer windows, the design and the effect the development would have on on-road parking in the area
- there were changes to the parking and Devon County Council had not been consulted
- the dormer windows would cause overlooking to the gardens and living accommodation to the properties to the rear
- there was a lack of retaining structure on the boundary which was causing water to cascade down on the properties in Mill Road
- the original scheme was for 5 bungalows
- this proposal was considerably higher than the surrounding development.

Mr Turner (agent) spoke in support of this application. He raised the following points:-

- representing the developer
- had to make a new application although the only amendment to the proposal was for the dormer windows in the rear and the 2 rooflights
- had written to all the neighbours to inform them of the change
- there was a considerable distance between the dormer windows and the properties to the rear of the development
- understood that the hours of construction condition must be adhered to
- this proposal would enhance one room within the dwellings
- the proposed skylights would provide additional light
- asked the Committee to support the application.

A Member stated that he felt that this proposal would create greater amenity space within the dwellings.

**RESOLVED** that planning permission for redevelopment to provide 10 dwellings and garages, parking, access to highway and associated works be approved subject to the following conditions:

- 1) C05 - Time Limit – Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) C23 - Permitted Development Restriction
- 7) C12 - Drainage Details
- 8) C57 - Archaeological Recording

- 9) C70 - Contaminated Land
- 10) No part of the development hereby approved shall be occupied until the access to Countess Wear Road, off-street parking facilities, access courtyard and visibility splays have been provided in accordance with the requirements of this permission and retained for those purposes at all times unless otherwise agreed in writing by the Local Planning Authority.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site
- 11) The development hereby approved shall be constructed in accordance with detailed drawings, which shall previously have been submitted to, and approved in writing by, the Local Planning Authority, showing the datum level at which it is to be constructed in relation to an agreed fixed point or O.S. datum  
**Reason:** To ensure that the development is constructed at levels appropriate to the surroundings in terms of visual impact and relationship to adjoining properties.
- 12) The development hereby approved shall not be commenced until details of all proposed boundary walls and fences have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until these have been provided in accordance with the approved details.  
**Reason:** In the interests of the amenities of the area.
- 13) The development hereby approved shall not commence until sections and elevations to a scale of not less than 1:20, indicating the following details, have been submitted to and approved in writing by, the Local Planning Authority:  
(i) rain water goods;  
(ii) eaves overhang;  
(iii) reveals to window/door openings;  
(iv) glazing bars and window frames.  
The buildings shall not be occupied until it has been completed in accordance with these details. The above-mentioned details will be expected to show sash opening windows.  
**Reason:** To ensure that the architectural detailing of the development is completed to an appropriate standard.
- 14) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:  
a) hours of operation of construction works,  
b) site compound and,  
c) railings.  
**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 15) No part of the development hereby approved shall be occupied until the access, visibility splays and frontage footway have been provided in

accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority and retained for those purposes at all times.

**Reason:** To ensure that adequate facilities are available for traffic attracted to the site.

- 16) Notwithstanding condition No. 2 no work shall commence on site under this permission until visibility splays have been provided and laid out at the site access to Countess Wear Road in accordance with the attached Diagram C where the visibility splays provide intervisibility between any point on the X and Y axes at a height of 0.6 metres above the adjacent carriage way level and the distance back from the nearer edge of the carriage way of the public highway (identified as X) shall be 2.4 metres and the visibility distances along the nearer edge of the carriage way of the public highway (identified as Y) shall be 60 metres in both directions.

**Reason:** To provide adequate visibility from and of emerging vehicles.

- 17) The existing accesses shall be effectively and permanently closed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority as soon as the new access is capable of use.

**Reason:** To prevent the use of substandard accesses and to minimize the number of accesses onto the public highway.

- 18) H03 - Highways – Drainage

- 19) No other 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 during the construction period in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.

**Reason:** In the interests of public safety and to avoid obstruction of and damage to the adjoining highway.

(Report circulated)

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**PLANNING APPLICATION NO.07/1932/03 - ROLLESTONE FARM,  
PENNSYLVANIA ROAD, EXETER, EX4 5BJ**

Councillor Robson declared a prejudicial interest as she lives adjacent to the site and left the meeting during discussion of the item.

Councillor Mrs Henson declared a personal interest as the applicant's parents were known to her.

The Head of Planning Services presented the application for a multipurpose equestrian arena and farm access road at Rollestone Farm, Pennsylvania Road.

The proposed multipurpose equestrian arena was on an area of hardcore which would be 60 x 40 metres and would have a sand and rubber flooring with post and rails and boundary planting. The arena would be used by the applicant's horses and

those that were in livery. The applicant proposed to hold one horse breeding event per year. The applicant anticipated that the proposal would generate up to 40 traffic movements a day plus 5 agricultural traffic movements.

The proposed new access route would allow for a one way system so that vehicles would not need to exit the site via Bridleway 8.

The Head of Planning Services reported that the County Director of Environment, Economy and Culture had advised that the equestrian arena was the subject of a previous application and that there was a recommendation of refusal based on the increase in use of the bridleway/green circle route that provided access to Stoke Valley Road. Since the refusal of the previous application, the applicant and his agent have had a meeting with the Highway Authority to clarify their intentions regarding the proposed operation of the equestrian arena and addressed the previous concerns relating to traffic generation and methods of operation with a view to minimising any impact on the bridleway access.

The County Director of Environment, Economy and Culture advised that, subject to the following recommendations being incorporated into an appropriate legal agreement, the proposal was now acceptable from a highway view. These were:-

- The use was solely for the schooling of applicant's own horses and customers' liveried horses to provide training, schooling, dressage and show jumping practice;
- An exit route to be introduced to the north of Rolleston House to reduce the impact of traffic movements along the bridleway and improve emerging visibility from and of vehicles, as illustrated on drawing number 28D-003; and
- When the applicant was holding a Breed Society grading event and/or similar, he would give notice to the Highway Authority together with details/locations of any marshals/stewards that were to be located along the bridleway system for safety purposes (in accordance with details to be agreed).

After discussions with the Head of Leisure and Museums, it had been agreed that condition 7 should be modified to require a wildlife management plan to cover the whole agricultural holding and not just the application site.

The recommendation was for approval subject to a Section 106 Agreement regarding the arena to be for the sole use of the schooling of applicant's own horses and customers' liveried horses, an exit route to be introduced to the north of Rolleston House, and when the applicant was holding a Breed Society grading event and/or similar that would introduce additional traffic along the bridleway access route, he would give twenty one days notice in writing to the Local Planning Authority and the Highway Authority. There was also an amendment to condition 7 to require a wildlife management plan to cover the whole agricultural holding.

Mr Amer (representing Bridleway 8 & Exeter Green Circle Action Group) spoke in opposition to the application. He raised the following points:-

- Bridleway 8 was inadequate and would not be able to take the amount of traffic this proposal would generate
- this proposal was contrary to TR10 of the Devon County Structure Plan

- an alternative route over the applicants' land should be found to access the site
- the proposed arena represented the destruction of a greenfield site which had an existing unauthorised use
- the proposal had a lack of landscaping
- this would cause a hazard for the users of Bridleway 8 and the Exeter Green Circle and would be detrimental to its use.

Mr J Whilding (agent) spoke in support of the application. He raised the following points:-

- representing the applicant Mr Arden
- the arena would be for the use of the applicant and those with livery at the stables
- had consulted with the Council's Landscape Officer regarding the landscaping scheme which would be planted before March 2008
- any activities that had been undertaken at the site had the approval of Exeter City Council Planning Officers
- had not been made aware of any illegal activity on the site
- Devon County Council had no objection
- the proposal would provide high quality fee paying livery.

In answer to a Member's question, Mr Whilding clarified that the applicant had met with Devon County Highways regarding the access and that they were agreeable to the one way access.

Members discussed the merits of the one way access and if the new proposed access could be two way. A Member also raised a question regarding whose responsibility bridleways and the Exeter Green Circle Route were.

The Director of Economy and Development confirmed Bridleways were the responsibility of Devon County Highways and that the Exeter Green Circle Route was provided by a partnership between Devon County Council and Exeter City Council.

**RESOLVED** that planning permission for a multipurpose equestrian arena and farm access road be approved subject to a Section 106 Agreement regarding the arena to be for the sole use of the schooling of applicant's own horses and customers' liveried horses, an exit route to be introduced to the north of Rollestone House and and , when the applicant was holding a Breed Society grading event and/or similar that would introduce additional traffic along the bridleway access route, he would give twenty one days notice in writing to the Local Planning Authority and the Highway Authority to the access management arrangements and the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To ensure compliance with sections 91-92 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 shown on drawing numbers 28D-

003, PH3B-002 and PH3B-001 Rev B, as modified by other conditions of this consent.

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

- 3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and 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) 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 development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

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

- 5) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

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

- 6) The development hereby approved shall be for the sole use of the applicant and those who have horses on livery at the farm.

**Reason:** Intensification of the access would be unacceptable in this location.

- 7) No development shall take place until a Wildlife Plan, for the whole agricultural holding, which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.

**Reason:** In the interests of protecting and improving existing, and creating new wildlife habitats.”

(Report circulated)

**PLANNING APPLICATION NO.07/2007/02 - DEVON & CORNWALL**  
**CONSTABULARY POLICE HEADQUARTERS, MIDDLEMOOR, EXETER,**  
**EX2 7HQ**

The Development Control Manager presented the application for two detached buildings to provide a three storey fire station with ancillary offices, training building with tower, parking, cycle, bin and fuel store, access to highway and associated works for siting, design, landscaping and external appearance at Devon and Cornwall Constabulary Police Headquarters, Middlemoor.

He confirmed the site had outline approval for the siting of a Fire Station and access and that this application was for reserved matters for the siting, design, external appearance and landscaping. This was a flat site which was bound by trees.

The design was contemporary the materials to be used were mainly render with some brick and a glazed entrance. It was proposed to incorporate some public art in the entrance area.

The Development Control Manager reported that the Environment Agency had confirmed that, having received a copy of the revised Flood Risk Assessment, they had no objection to the proposal provided it proceeds in accordance with its content. This could be covered by an additional condition.

The County Director of Environment, Economy and Culture had confirmed no objection to the proposal subject to conditions regarding provision of the access, cycle and car parking facilities prior to occupation and appropriate visibility splays. The outline approval contained a condition requiring details of the junction and access onto Sidmouth Road to be submitted for approval prior to commencement. This would still apply and was reflected in Condition 9. The condition regarding provision of the parking facilities was considered valid and an additional condition was proposed to ensure that the site was not brought into use until the car parking, cycle parking/storage facilities were provided.

The recommendation was for approval, subject to additional conditions regarding compliance with the flood risk assessment and the provision of the car parking, cycle parking/storage facilities.

**RESOLVED** that planning permission for two detached buildings (1,137sq.m.) to provide three storey fire station with ancillary offices, training building with tower, parking, cycle, bin and fuel store, access to highway and associated works (approval sought of reserved matters on Ref. No. 04/1467/01 granted 16 March 2007) for siting, design, landscaping and external appearance be approved, subject to the following conditions:

- 1) C15 - Compliance with Drawings
- 2) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of the dwelling/building(s), in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority.

**Reason:** In the interests of the visual amenities of the area and the residential amenities of the occupants of surrounding properties.

- 3) C12 - Drainage Details
- 4) C17 - Submission of Materials
- 5) C38 - Trees - Temporary Fencing
- 6) C35 - Landscape Scheme
- 7) Prior to the commencement of the development hereby approved a detailed Wildlife Plan identifying specific measures to protect existing wildlife on the site, and to enhance the wildlife opportunities within the site, shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the measures identified in the Wildlife Plan shall be fully implemented prior to occupation of the building and be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the wildlife opportunities associated with the site are maximised in the interests of biodiversity.
- 8) Prior to the commencement of the development hereby approved a Green Travel Plan identifying specific measures to encourage a modal shift away from the use of the private motor car associated with the use of the building shall be submitted to and be approved in writing by, the Local Planning Authority. The Travel Plan shall specify the arrangements for reviewing and monitoring the effectiveness of Travel Plan.

**Reason:** To ensure that appropriate measures are implemented to encourage the use of sustainable modes of transport in connection with the use of the building.
- 9) All conditions imposed on notice of outline approval (ref no. 04/1467/01) are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.

**Reason:** To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 10) Prior to the commencement of the development hereby approved full details of the new drainage outlet from the site to Sidmouth Road shall be submitted to, and be approved on writing by, the Local Planning Authority. Thereafter the development shall be completed strictly in accordance with the approved details.

**Reason:** To ensure that the proposed drainage outlet is acceptable in terms of its potential impact on the existing trees/vegetation along the frontage to Sidmouth Road.
- 11) Unless otherwise agreed in writing by the Local Planning Authority the drainage arrangements to serve the development shall accord with the strategy set out in the submitted Flood Risk Assessment dated August 2007 Rev D. Full details of the drainage to serve the development shall be

submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the development.

**Reason:** To ensure the satisfactory drainage of the development.

- 12) The development shall not be brought into its intended use until the car parking, cycle parking/storage facilities and any other vehicular access facility required for the development by this permission have been completed and are available for use. Thereafter the said facilities shall be permanently retained for their intended use unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that adequate access and parking facilities are available for the traffic attracted to the site.

(Report circulated)

157 **PLANNING APPLICATION NO.07/2131/03 - 41A-43A SIDWELL STREET, EXETER, EX4 6PA**

The Head of Planning Services presented the application for alterations to provide 10 self-contained flats, including pitched roof, two storey extension at first floor level and roof to external staircase on north west elevation at 41A – 43A Sidwell Street, Exeter.

He reported that the County Director of Environment, Economy and Culture had advised that it was appropriate that the development was car free in this location. No objection was raised subject to an additional condition regarding no occupation until residents of the car- free units had been issued with a Green Travel Pack.

The Head of Planning Services also reported that a letter had been received from the applicant's agent clarifying that the three existing residential units here were eligible for a City Council parking permit. It was accepted that the additional seven units would be car-free.

An email had also been received from the applicant's agent clarifying that the cycle store would accommodate one bike per flat. The arrangement was very similar to the one implemented at 44-47 Sidwell Street, which was operating successfully. The bin store would be at the same level as the footpath and would be enclosed by a gate.

The recommendation was for approval, subject to an additional condition regarding no occupation until residents of the car- free units had been issued with a Green Travel Pack.

**RESOLVED** that planning permission for alterations to provide 10 self-contained flats, including pitched roof, two storey extension at first floor level and roof to external staircase on north west elevation be approved subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning

Authority on 28 September 2007 ( dwg nos. 839-20; 839-21; 839-25 & 839-26) as modified by other conditions of this consent.

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

- 3) C17 - Submission of Materials
- 4) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the refuse storage provision have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:  
**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 5) No construction work shall take place on the site other than between the hours of 0800hrs to 1800hrs Monday to Friday and 0830hrs to 1300hrs on Saturday and not at all on Sundays or Bank Holidays.  
**Reason:** In the interests of residential amenity.
- 6) No part of the development hereby approved shall be occupied until residents of the car- free units have been issued with a Green Travel Pack, to inform them of the car free status of this development, and the times and locations of public transport routes and facilities and the locations of adjacent shopping and leisure facilities, all in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.  
**Reason:** To ensure that occupants are aware of the car free status of the development.”

(Report circulated)

158

**PLANNING APPLICATION NO.07/2253/03 - 31 CECIL ROAD, EXETER, EX2 9AQ**

The Head of Planning Services presented the application for first floor extension on north east elevation at 31 Cecil Road, Exeter.

**RESOLVED** that planning permission for a first floor extension on the north east elevation be approved subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) Prior to the commencement of the development hereby approved details of the window joinery shall be submitted to and approved in writing by the Local Planning Authority.  
**Reason:** To protect the character and appearance of the building and its visual contribution to the Cowick Street Conservation Area.

(Report circulated)

159 **PLANNING APPLICATION NO.07/1949/03 - 16 POPLAR CLOSE, EXETER,**  
**EX2 8JA**

The Development Control Manager presented the application for a two storey extension on the east elevation and a conservatory on the north elevation at 16 Poplar Close, Exeter.

He reported that the Agent had now submitted a basic Flood Risk Assessment which was acceptable and confirmed that the floor levels in the extension were set no lower than the existing.

**RESOLVED** that planning permission for a two storey extension on east elevation and conservatory on north elevation be approved subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) Notwithstanding the details shown in drawing number 07-021-D4-B the external finish of the extension hereby approved shall be red-brick to match the existing property, in all other respects the external materials shall match those of the existing building.

**Reason:** To protect the character and appearance of the building.

(Report circulated)

160 **LOCAL DEVELOPMENT FRAMEWORK - ANNUAL MONITORING**  
**REPORT**

The Head of Planning Services presented the Local Development Framework Annual Monitoring Report.

**RESOLVED** that the Annual Monitoring Report 2007 be approved for submission to the Secretary of State.

(Report circulated)

161 **PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND**  
**WITHDRAWN APPLICATIONS**

The report of the Head of Planning Services was submitted.

A Member raised concerns regarding the application at 181 Pinhoe Road, Exeter and asked if the premises would be used as an animal hospital with animals needing to stay overnight.

The Head of Planning Services confirmed that the permission had been given for a veterinary surgery and that although there was no condition preventing animals staying overnight it was understood from the applicant that it was not anticipated that there would be a need for animals to be kept overnight on the premises, except in emergencies.

**RESOLVED** that the report be noted.

(Report circulated)

162

**ENFORCEMENT PROGRESS REPORT**

The Head of Planning Services presented the report updating Members on enforcement matters.

**RESOLVED** that the report be noted.

(Report circulated)

163

**APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

(Report circulated)

164

**SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Wednesday 2 January 2008 at 9.30 a.m. The Councillors attending will be Fullam, Mrs Henson and Lyons.

165

**SUPPLEMENTARY PLANNING COMMITTEE**

It was agreed that a Supplementary Planning Committee would be held on 21 January 2008 at 5.30pm.

(The meeting commenced at 5.30 pm and closed at 8.25 pm)

Chair