

PLANNING COMMITTEE

Monday 23 March 2009

Present:-

Councillor Mrs Henson (Chair)
Councillors D J Morrish, D Baldwin, P J Brock, Edwards, Mitchell, Shepherd, Shiel, Taghdissian and Wadham

Also Present

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

23

MINUTES

The minutes of the meeting held on 19 January 2009 were taken as read and signed by the Chair as correct.

24

DECLARATIONS OF INTEREST

Members declared the following personal interests:-

COUNCILLOR	MINUTE
Councillor D J Morrish	29 (in respect of 12 Birchy Barton Hill as he lives in the vicinity)
Councillor Shepherd	26 (lives in the vicinity)
Councillor Taghdissian	29 (in respect of 44 Manston Road as he lives in the vicinity)

25

PLANNING APPLICATION NO.09/0091/03 - 55 UNION ROAD, EXETER, EX4 6HU

The Development Manager presented the planning application for change of use from a dwelling to Buddhist residential and meditation/study centre at 55 Union Road, Exeter.

This property was a large terraced dwelling. The proposal was for seven bedrooms and public classes on Tuesday evenings, enrolled classes on Sunday mornings and approximately 10 day courses throughout the year.

Members were circulated with an update sheet giving details of the comments from the Head of Environmental Health Services with regard to noise, kitchen extraction and refuse storage. A letter had been received from the objector stating that because of a recent spell in hospital they would not be able to speak at the meeting.

The recommendation was for refusal for the reasons that the use would be detrimental to the residential amenities of the occupiers of neighbouring properties and the development did not make adequate provision for the parking of vehicles within the site and would therefore be likely to encourage parking on the highway, with consequent additional danger to road users.

Councillor Cole, having given notice under Standing Order No.44, spoke on this item. She raised the following points:-

- supported the application
- the property would provide a home for like minded people

- the Pure Land Buddhist Centre would be a family set up
- all occupants would sign a tenancy agreement
- Buddhism teaching involved meditation and quiet teachings
- the applicant would be happy to sound proof the 'party wall' with No.57 Union Road
- there was adequate on road parking
- Union Road was a busy road and this proposal would generate a minimal amount of additional traffic
- could put a condition on to restrict the permission to the applicant only.

Councillor Cole clarified that the majority of the visitors to the centre would live within the city boundaries and would be encouraged to use public transport, cycle or walk. This property was on a main bus route.

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

- was the Administration Director for the Pure Land Buddhist Centre
- the centre was well established; there were fifty similar centres throughout the country
- the centre was a peaceful and quiet place where residents live together with a teacher
- some residents worked whilst others would be in education
- there was more than adequate on street parking in the vicinity
- tenancy agreements would prevent the use of alcohol, loud and amplified music
- would live in harmony with the neighbours.

In answer to Members' questions, Ms Parsons clarified that:-

- the classes would take the form of meditation, teaching and discussions
- the Pure Land Buddhist Centre wanted to purchase the property subject to planning permission
- the bedrooms were not bedsits and the residents would use the communal kitchen and eat communal meals
- currently operated from 16 Raleigh Road, St Leonards with six bedrooms and seven residents and had never had any problems or complaints
- some residents stayed for years whilst others only a few months
- all potential residents were interviewed
- although there were fifty other centres varying in size around the country, they were financially independent
- because the property was to be purchased, if a temporary permission was to be granted, they would be looking for a longer period of three to five years
- at Raleigh Road there were only three residents who drove.

During discussion, Members raised the following points:-

- the use of the property as a Buddhist Centre would not have a detrimental effect on the amenity of the neighbouring residents
- would not cause additional danger to road users
- concerns regarding adequate bin storage, it was clarified that the requirements were 2 x 360 litre bins
- any approval should have a condition ensuring that the use was personal to the 'Pure Land Buddhist Centre' only
- party wall to No. 57 Union Street should be sound proofed.

The Head of Planning Services confirmed that bin storage could be covered by a planning condition if Members were minded to approve the application.

RESOLVED that planning permission for change of use from dwelling to Buddhist residential and meditation/study centre be **approved** subject to the following conditions for the reasons that Members did not consider that the use would be detrimental to the amenity of neighbouring residents, or that it would cause additional parking such as to give rise to problems or danger:-

- (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 received by the Local Planning Authority on the 21 January 2009 and 25 February 2009 (*dwg. no(s). 1795/05, 1795/07 RevA, 1795/08 RevB*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) The use hereby permitted shall be carried on only by Pure Land Buddhist Centre and shall cease at such time as the aforementioned person(s) cease to occupy the site.
Reason: To ensure that the site is managed in an acceptable way to the Local Planning Authority.
- (4) The site shall not be used for any purpose other than that hereby approved and no other use (including any use within the same Use Class as defined by the Town and Country Planning Use Classes Order 1987 or any Order and re-enacting that Order) shall be carried out without the formal consent of the Local Planning Authority.
Reason: Any use other than that approved would be detrimental to nearby residential amenity.
- (5) The room marked "Meditation Room" on Drawing No. 1795/05 shall not be brought into use until sound insulation measures have been implemented in accordance with full details which have been approved by the Local Planning Authority in writing.
Reason: In the interests of residential amenity.
- (6) Notwithstanding condition No.1, no work shall commence on site under this permission until full details of Kitchen Extraction Equipment and Refuse Storage have been submitted to and approved in writing by the Local Planning Authority. Thereafter the extraction equipment and refuse storage arrangements shall be implemented maintained entirely with the approved details.
Reason: Insufficient information has been submitted with the application.

(Report circulated)

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

The Head of Planning and Building Control presented the planning application for a dormer window on south elevation at 13 Waverley Avenue, Exeter.

The recommendation was for approval subject to conditions.

RESOLVED that planning permission for a dormer window on the south elevation be **approved** subject to the following conditions:

- 1) C05 - Time Limit – Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials

(Report circulated)

27

PLANNING APPLICATION NO.09/0094/03 - 26 BERKSHIRE DRIVE, EXETER, EX4 1NF

The Head of Planning and Building Control presented the planning application for ground floor extensions on the east and south elevations to provide two additional bedspaces, hardstanding on west elevation, access to highway and associated works at 26 Berkshire Drive, Exeter.

Planning permission was granted for the change of use from dwelling (Class C3) to boarding house (Class C1) in November 2007. The consent was granted on the basis that the use could only be carried out by the applicant. This approval provided accommodation for students within three twin rooms and one single room, in effect a total of seven students. The applicant provided rooms mainly for overseas students who principally attend either Exeter University or Exeter College.

Although two additional bedrooms were proposed, the applicant had indicated that he only wished to increase the number of students from seven to eight. This was because of the applicant's desire to meet the new policy of Exeter University encouraging single occupancy rooms.

Members were circulated with an update sheet giving details of the applicant's confirmation that he would accept a personal condition limiting the students to a maximum of eight, the need for revised plans regarding the roof pitch and that the removal of the front wall and the dropping of the kerb had been withdrawn from the application.

The recommendation was for approval subject to conditions.

Mr Plesinger-Rees (applicant) spoke in support of the application. He raised the following points:-

- provided accommodation for University Students
- this proposal would provide accommodation for one additional student
- the extension would enable the accommodation of more students in single rooms
- had received five letters of support
- had been taking in students for many years without any problems
- would be improving the kitchen and dining facilities.

The Head of Planning and Building Control confirmed that a letter of support had been received from the university and that the applicant accommodated 'INTO' students.

RESOLVED that, subject to receipt of amended plans regarding the roof pitches, planning permission for ground floor extensions on east and south elevations to provide an additional two bedspaces, be **approved** subject to the following conditions:

- 1) The use hereby permitted shall be carried on only by Mr Jonathan Plesinger-Rees 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.
- 2) No more than eight students shall reside at the premises at any one time.
Reason: To prevent the intensification of the premises and to ensure that the residential character of the areas is maintained.
- 3) The extensions 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.
- 4) C15 - Compliance with Drawings
- 5) C17 - Submission of Materials

(Report circulated)

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

The report of the Head of Planning and Building Control was submitted.

RESOLVED that the report be noted.

(Report circulated)

29 **ENFORCEMENT PROGRESS REPORT**

Councillor D J Morrish declared a personal interest in respect of 12 Birchy Barton Hill as he lives in the vicinity.

Councillor Taghdissian declared a personal interest in respect of 44 Manston Road as he lives in the vicinity.

The Head of Planning and Building Control presented the report updating Members on enforcement matters.

RESOLVED that the report be noted.

(Report circulated)

30 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(Report circulated)

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 14 April 2009 at 9.30 a.m. The Councillors attending will be Mrs Henson, D J Morrish and Wadham.

(The meeting commenced at 5.30 pm and closed at 6.45 pm)

Chair