

SITE INSPECTION PARTY

To advise that the next Site Inspection Party will be held on Tuesday 18 October 2011 at 9.30 a.m. The Councillors attending will be Bialyk, Prowse and Sutton.

DATE OF NEXT MEETING

The next scheduled meeting of the Planning Committee will be held on **Monday 31 October 2011** 5.30 pm. in the Civic Centre.

Membership -

Councillors Bialyk (Chair), Macdonald (Deputy Chair), P J Brock, Clark, Denham, Edwards, Mrs Henson, Mrs J Morrish, Newby, Prowse, Spackman, Sutton and Winterbottom

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Agenda Item 3

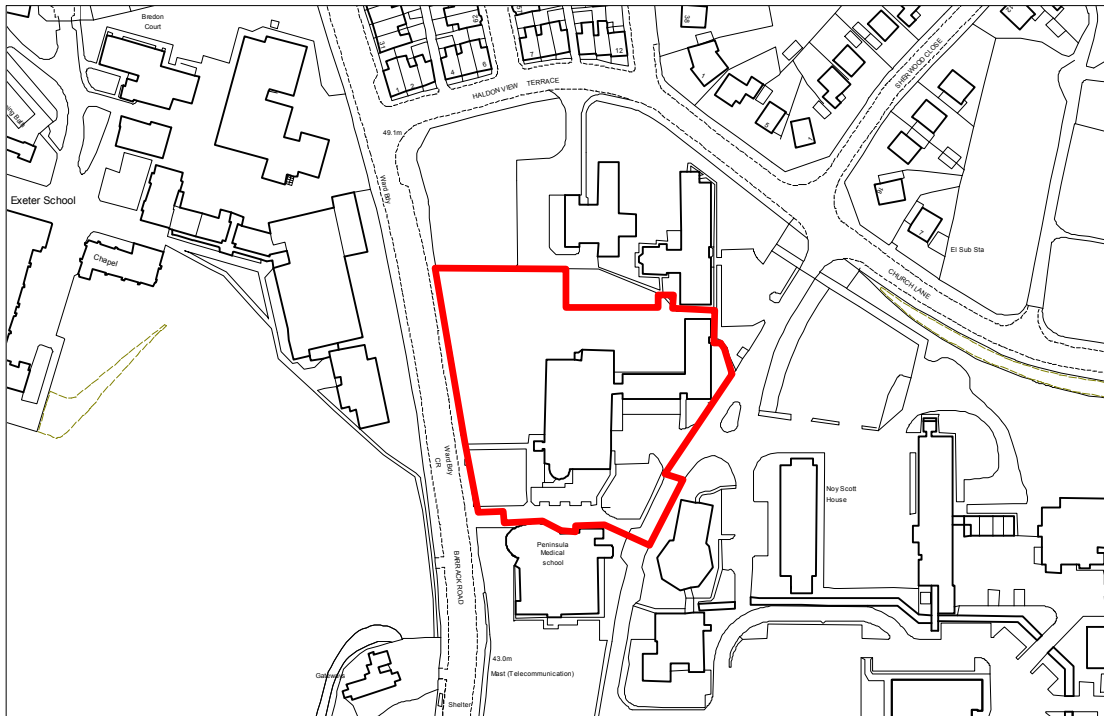
ITEM NO. 3

COMMITTEE DATE: 03/10/2011

APPLICATION NO: 11/1311/03 **FULL PLANNING PERMISSION**
APPLICANT: Royal Devon & Exeter NHS Foundation Trust (Wonford)
PROPOSAL: Demolition of existing Postgraduate centre building & redevelopment to provide a Research, Innovation, Learning & Development (RILD) centre over 4 storeys with associated landscaping and enclosed roof top plant

LOCATION: Royal Devon & Exeter Hospital, Barrack Road, Exeter, EX2 5DN

REGISTRATION DATE: 01/08/2011
EXPIRY DATE: 31/10/2011



Scale 1:2500

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HISTORY OF SITE

The whole RD&E Hospital complex has a lengthy history of development proposals none of which are considered directly relevant to this proposal.

DESCRIPTION OF SITE/PROPOSAL

The application site comprises the site of the existing Post Graduate Education Centre at the RD&E Hospital. The site is bounded to the east by an internal access road serving the hospital site, to the west by Barrack Road, to the south by the Peninsula College of Medicine and Dentistry (PCMD), and to the north by other hospital buildings that sit between the site and Haldon View Terrace.

The existing buildings are predominantly single storey flat roof structures. Situated around the buildings are a number of parking areas and landscaping including some mature trees.

The proposal comprises the demolition of all the existing buildings on site and redevelopment to provide a new Research, Innovation, Learning and Development Centre. The building

extends over four floors with the plant area on the roof also enclosed. The building will have an overall gross internal floor area of approx. 7250 sq metres. Essentially the building comprises two wings on either side of a central area called the 'Hub'. The new building will facilitate the expansion of the current research activities undertaken by the Peninsula College of Medicine and Dentistry, and house a replacement and enhanced post graduate education centre. There are synergies between these two elements reflected by the creation of shared entrance/reception facilities, and a physical link between the proposed building and the existing Peninsula College of Medicine and Dentistry building at both ground and first floor levels. Associated vehicle and cycle parking would be distributed around the building, along with additional landscaping and pedestrian routes through the site.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The following documents have been submitted in support of the application:-

- Design and Access Statement
- Transport Statement
- Archaeological Assessment
- Ecological Impact Assessment
- Drainage Strategy and Flood Risk
- GeoEnvironmental Assessment
- Tree Survey and Arboricultural Impact Assessment

REPRESENTATIONS

Three letters of objection have been received raising the following concerns:-

- Additional traffic generation associated with the large proposed building, and lack of parking provision (both vehicular and cycle), generating more parking pressure on surrounding areas.
- Overall size of building, proportion devoted to plant – consequent visual impact upon area, particularly in terms of diminishing visual impact of Victorian architecture of main Exeter School building, and views towards the Church and Haldon Hill.
- Scale of building being contrary to prevailing heights of buildings on the RD&E campus, and its general character
- Adverse impact of a building site upon students sitting exams in the school sports hall directly opposite the site (exams in Jan, May and June of each year), especially as school has no suitable alternative venue.
- Absence of a Green Travel Plan.

CONSULTATIONS

Environment Agency - No objections

County Director for Environment, Economy and Culture - raises no objection to the proposal and recommending conditions relating to a Green Travel Plan and provision of parking facilities prior to the building being brought into use.

Head of Environmental Health - Requests further information in respect of potential noise impact, extraction equipment, and land contamination. Recommends that conditions be attached to any approval in respect of Construction hours, noise mitigation, odour control equipment and contaminated land.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance
PPS1 - Delivering Sustainable Development

PPG13 - Transport

Devon County Structure Plan 2001-2016

- ST1 - Sustainable Development
- ST10 - Exeter Principle Urban Area
- CO6 - Quality of New Development
- TR2 - Coordination of Land Use/Travel Planning
- TR3 - Managing Travel Demand
- TR4 - Parking Strategy, Stands and Proposals
- TR5 - Hierarchy of Modes and Transport Assessment
- TR7 - Walking and Cycling
- TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011

- AP1 - Design and Location of Development
- AP2 - Sequential Approach
- CS1 - RD & E Wonford Hospital
- T3 - Encouraging Use of Sustainable Modes
- T9 - Access to Buildings by People with Disabilities
- T10 - Car Parking Standards
- DG1 - Objectives of Urban Design
- DG3 - Commercial Development

OBSERVATIONS

The main considerations in respect of this proposal relate to the design of the building, its impact upon the character of the area and long range views, its relationship to surrounding buildings, transportation issues, and ecological impact. The proposal replaces the existing Post Graduate Education centre buildings that are on the site and provides significantly improved and modernised facilities for the continuation of the existing activities undertaken within those buildings. It also links directly with the Peninsula College of Medicine and Dentistry and provides for shared use of parts of the new building, including reception/entrance facilities. As such the proposal relates to provision of an enhanced environment for the continued provision of existing activities on the site and is not directly linked to any increase in overall student numbers.

Design

The location of the site some distance from the nearest domestic scale properties, coupled with the fall in the land from north to south (approximately 2 metres) means that a building of some scale can be provided on the site without direct harm to residential amenity.

The scale of the new building has been considered in the context of the immediate surroundings and its role as a landmark building for education and research. The building has been designed as two wings sitting either side of a slightly lower central hub. The largest tree on the site has been retained and used to create a focal point and arrival space at the entrance to the building. The main bulk of the building sits between this arrival feature and Barrack Road and is located forward of the building line established by the existing PCMD building. At its closest point the building is just over 3 metres back from the boundary with Barrack Road. The two wings are staggered either side of the central hub, and to help reduce their massing and visual impact upon Barrack Road, incorporate sloped facades. The visual appearance of the building on Barrack Road is considered very important in terms of creating an image for the building. For the most part the existing hedge is retained along this frontage to provide a visual edge from the road and footpath and as an important element of the existing biodiversity of the site. At the point closest to the 'Hub' the hedge will be removed and a lower boundary in the form of a Devon Bank introduced to allow views into the building and the activities within the 'Hub' (this will contain a small cafe/dining area). The

building will incorporate supporting structures to facilitate climbing plants colonising this facade of the building.

The main wings of the building will be faced in masonry with a mix of smooth and textured finishes while the central 'Hub' will be highly glazed with vertical timber solar shading. Other materials will include timber infill panels and curtain walling, with a flat roof concealed behind parapet features.

Impact upon character of area and long range views

In early discussions regarding this project the need to consider the potential impact on locally important public views, and the prominence of the building in longer range views was highlighted. St Michael and all Angels church in Heavitree, with its tall tower, is a prominent feature from within Heavitree and adjoining conservation areas and from areas of the city further afield. The proposal, however, results in the proposed building competing for attention with the tower in various views. Certain views will also be blocked and whilst the tower will still be visible from certain directions, its historic pre-eminence in the townscape will be eroded.

The proposed building would also have a significant impact on views from adjoining roads and residential streets, including Baker Street, Haldon View Terrace, Church Terrace, Sherwood Close and Church Lane some of which are within and adjoining conservation areas. At present the landscape plays a significant part in these views with trees being prominent. The scale of the proposed building would result in a new dominant feature in the townscape, changing the balance between natural features and built form.

The proposed building would, furthermore, have a significant impact upon the existing streetscene of Barrack Road. Currently, in the views north and south along Barrack Road the landscape, notably hedges and trees, plays a prominent role. Existing buildings and car parks are generally well set back from the highway allowing planting to flourish and providing an attractive setting for buildings as well as screening to car parks. The proposed building is much closer to the highway, allowing only a minimal strip of land for low planting and insufficient space for trees.

The prominence of the building from more distant views towards the site has been considered, in particular from Quarry Park Road and Ludwell Hill. This has demonstrated that the building will either be screened from view by the existing substantial buildings forming the hospital complex, or be read against other buildings with the view of the hills beyond seen above the building.

Relationship to surrounding buildings

The site for the proposed building is surrounded either by other existing buildings on the hospital complex or by roads (internal access road to east and Barrack Road to west). The nearest residential buildings to site are a couple of isolated dwellings on the opposite side of Barrack Road (at least 50 metres away), the terraced properties in Haldon View Terrace (55 metres away) and those on the end of Sherwood Close (55 metres away). Directly opposite the site on the other side of Barrack Road are buildings forming part of Exeter School.

Compared to the existing single storey structures the new building (extending to 4 storey plus plant) will become a far more visually prominent feature in the locality, both in terms of views into the site from the surrounding properties referred to above, and as a component of the street scene along Barrack Road. As such it will inevitably reduce the views from those properties in a southerly direction over the city and beyond to the Haldon Hills. The protection of such private views is not a material planning consideration however, the physical relationship of the proposed building in terms of massing and potential impact on privacy of surrounding properties is a material consideration. Given the distances between the site and the surrounding dwellings it is not considered that the proposal would give rise to

any significant overlooking/privacy issues. Likewise, whilst the height and massing of the building, is significantly larger than existing buildings on the site the distances between it and the residential properties ensures that the relationship is not overbearing. The impact of the proposal upon other buildings within the hospital complex, and the school buildings opposite the site, are also considered acceptable.

The applicant has been made aware of the specific concerns regarding the potential impact of construction works upon students sitting exams in the nearby school hall and is believed to be in direct discussion over this issue.

Transportation Issues

Vehicular access to the site will be obtained via the existing internal access road that runs through the hospital from Church Lane and around the hospital buildings. Two access points from Barrack Road also feed onto this road. Existing car parking facilities will be reconfigured as part of the proposal with the overall level of provision remaining similar to that which exists at present. Cycle parking will be provided as part of the development in the form of a weatherproof cycle parking area for 36 cycles situated close to the main entrance to the building where it will benefit from a high degree of natural surveillance.

The submitted Transport Statement refers to a site wide Travel Plan for the whole RD&E Hospital that is currently being produced, and the University's adopted Travel Plan that also includes the Peninsula College of Medicine and Dentistry. There is a commitment to produce a Travel Plan for the RILD centre as a daughter document to the main Travel Plan for the hospital.

The Transport Statement suggests that the new building will generate in the order of 300 peak period movements with approximately 260-270 of these movements being by non-car modes. Consequently it concludes that there will be no material adverse impact resulting from any of the additional movements, and specifically, the very low vehicle impact is not anticipated to result in any perceptible change in local traffic conditions, even where junctions are currently very busy at peak times.

The Highway Authority have commented on the absence of a Green Travel Plan and suggest that implementation of such a plan is necessary to mitigate the impact of additional traffic that is likely to be attracted to the site as a result of the development. However this can be covered by an appropriate condition. The Highway Authority have also concluded that based on the submitted information the traffic flows associated with the development can be accommodated on the adjacent highway network.

Ecological Impact

Whilst the existing buildings do have some landscape setting the proposal is seen as an opportunity to enhance the current ecological contribution of the site. Within the current site there are 4 main trees, 2 of which would need to be removed to facilitate the development. In the context of the overall development, and suitable landscaping being carried out as part of the proposal there is no objection to their removal.

As part of the development of the scheme an Extended Phase 1 Habitat Survey was carried out to identify if any protected species were present on the site. The survey found no evidence of protected species on site. It concluded that the trees on site were unsuitable for occupation by bats due to an absence of roosting opportunities within them. Likewise the existing buildings were considered unsuitable due to the lack of roof void or other suitable roosting opportunities within them. Given the isolation of the site within the surrounding landscape, and main roads bounding the site, it concluded the site was unsuitable to support dormice and unlikely to be used by badgers for commuting or foraging.

Overall the site was considered to be of low ecological value. The proposed landscaping will include a significant number of new trees, which together with other flora, will significantly enhance the ecological contribution of the site. Appropriate bird nesting boxes/bricks could be incorporated within the fabric of the building. A condition is proposed requiring submission of a Wildlife Plan for approval to demonstrate how the development will be managed in perpetuity to enhance wildlife opportunities on the site.

Sustainability

The sustainability of the proposal has been considered from the outset of the project development and the it has been designed to achieve a BREEAM rating of 'Excellent'. Potential energy consumption has been reduced by giving careful consideration to the built form, coupled with incorporation of a Building Management System to make use of heat recovery and efficient operation of the building. The building has been designed to maximise use of natural daylight and ventilation, and thereby minimise heating and cooling needs. High insulation materials and orientation to maximise solar gain have also been incorporated into the building design. Materials to be used in the construction of the building will be specified to ensure low environmental impact. Consideration is also being given to rainwater harvesting, and water recycling for use on landscaped areas.

In addition to looking at the design of the building to make it as sustainable as possible it is proposed to incorporate renewable energy sources as part of the development. It is intended that photovoltaics and air source heat pumps will be used to meet 10% of the total energy use requirements associated with this building.

Southern Area Working Party (17/08/11)

Members noted that the proposal would be determined by a forthcoming Planning Committee, and recalled the earlier presentation to Planning Member Working Group by the developer. Members noted that the consultation period was still running but expressed support for the proposal in principle subject to design considerations and the outcome of the consultation period.

Conclusion

Consideration of this application was deferred from the last Planning Committee to allow the public consultation period to run its course.

The proposed development will provide a high quality combined research and educational establishment that will help to further develop Exeter as a centre for undergraduate and postgraduate clinical education, training and research. It will provide a new landmark building of contemporary design that will add interest to Barrack Road. The scale and location of the building will alter the character of the surrounding area and impact upon the setting of adjoining conservation areas and in particular the setting of St Michael and all Angels church. The applicant however is working to a very specific brief which requires a certain quantum of floorspace and it is not considered that it would be appropriate or practical to seek a smaller building which would be more respectful of the setting of the church. The proposal has an acceptable relationship to surrounding residential properties and it is notable that no objections have been received to the proposal. The application is therefore recommended for approval.

RECOMMENDATION

Approval subject to the following conditions -

APPROVE 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) C38 - Trees - Temporary Fencing
- 7) H02 - Highways - Provision parking, etc
- 8) No part of the development shall be occupied until a Travel Plan (including recommendations and arrangements for monitoring and review) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the recommendations of the Travel Plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.
Reason: To encourage travel by sustainable means, in accordance with Local Plan policy T3.
- 9) Construction/demolition work shall not take place outside the following times; 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interest of residential amenity.
- 10) The development hereby approved shall not commence until details of the proposed finished floor levels and overall heights of the buildings, 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.
- 11) Prior to occupation of the development hereby permitted, the cycle parking shown on the application drawings shall be provided in accordance with details (including storage systems and means of cover) previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall be maintained thereafter.
Reason: To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- 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) No development shall take place until a Wildlife Plan 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. The Wildlife Plan will be expected to include the provision of integral bird nesting boxes/bricks within the fabric of the building. 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 in the area.

- 14) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.
Reason: In the interests of the amenity of the occupants of the building hereby approved.
- 15) The building hereby approved shall be designed and constructed to achieve BREEAM rating of 'Excellent' unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the development achieves a high level of performance in terms of sustainability.
- 16) The development hereby approved shall be designed and constructed so as to be capable of connecting to the proposed Local Energy Network scheme (LEN) for Exeter, so far as is practicable having regard to the technical information concerning the LEN scheme available at the time of the detailed design and construction of the scheme. The requirements of this condition shall only relate to works within, and up to the boundary of the application site.
Reason: To ensure that the potential for the development to make use of a future sustainable source of energy is incorporated within the detailed design of the building in the interests of sustainable development.

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

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

Agenda Item 4

ITEM NO. 4

COMMITTEE DATE: 03/10/2011

APPLICATION NO: 11/1301/16 EXETER CITY COUNCIL REGULATION 3

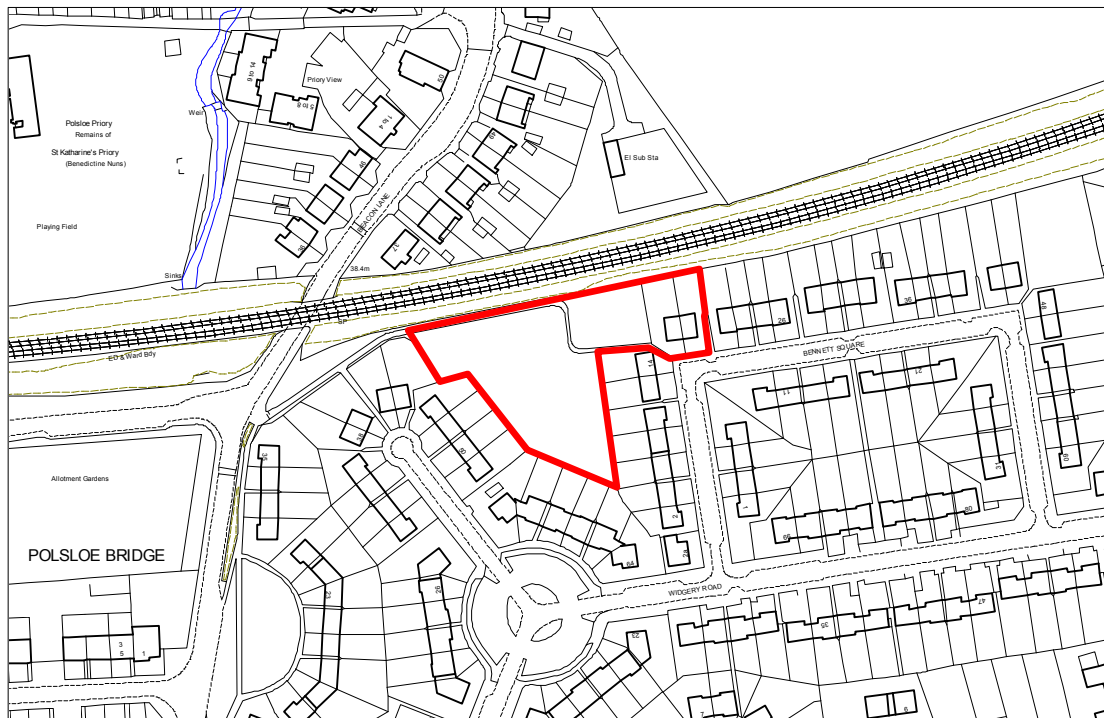
APPLICANT: Ms E Osmundsen
Exeter City Council

PROPOSAL: Two storey residential development to provide ten self contained flats, access to highway and associated works.

LOCATION: Open Space, Bennett Square, Exeter, EX4

REGISTRATION DATE: 28/07/2011

EXPIRY DATE: 27/10/2011



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HISTORY OF SITE

04/1050/16 -	Provision of play area and equipment	PER	27/07/2004
10/1277/16 -	Two storey residential development to provide ten self contained flats, access to highway and associated works.	WDN	14/10/2010

DESCRIPTION OF SITE/PROPOSAL

The site currently comprises grassed open space slightly falling to the north east. It is bordered by the railway line to the north and two storey terraced housing in Widgery Road to the south west and Bennett Square to the east.

Part of the site is used as a playground with equipment including goalposts, a small climbing wall and a teen shelter. A footpath, which varies in width from around 0.8m to 1.2m, crosses the site connecting from Beacon Lane to Bennett Square.

A pair of semi-detached dwellings on Bennett Square, currently in the ownership of Exeter City Council, fall within the site.

There are three semi mature sycamore trees in the rear garden of 44 Widgery Road.

The total size of the site is 3290 square metres.

Planning permission is sought to demolish the two dwellings in Bennett Square and create an adoptable highway access into the site. It is proposed to construct a two storey building comprising 10 flats within the centre of the site. A belt of public open space is proposed to be retained across the northern site boundary. A communal garden is provided along the south-eastern boundary with private patios for the ground floor flats.

Each flat has 2 bedrooms. The first floor flats have balconies. Two of the ground floor flats are mobility units. A further two flats, at first floor, are designed so that they can be used as mobility units in the future subject to the installation of a lift, which does not form part of the current proposals.

The building is contemporary in style, similar to other recent Council own build schemes including that at Newport Road. The proposed external facing materials are render and timber cladding with light grey clay tiles. Solar panels are shown on the east and south elevation roofs.

Parking is provided for 9 vehicles together with a turning head for service vehicles. Provision is made for 10 bin stores and 20 cycle spaces.

Part of the public footpath will be diverted and this right of way is to be retained in the proposed development. The realigned path is shown as being 1.8m wide. A public foul sewer crosses the site at the northern boundary.

The application also indicates that the goalposts and the teen shelter on the site will be relocated. The goalposts will be located on an existing play area to the west of Widgery Road. The teen shelter will be located on another small area of open space to the north-east of Bennett Square.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Planning Statement
- Design and Access Statement
- Habitat Survey
- Tree Survey
- Geo-Technical And Geo-Environmental Assessment
- Noise Assessment

In addition, the applicant has provided the following statement:

This is a Council owned site that will deliver 10 affordable homes for rent. Up to 4 of the flats have been designed specifically to be wheelchair accessible; the remaining flats (dependant on demand following construction) would be let to those over the age of 55 years and downsizing from larger family sized accommodation.

This development will help to meet the huge demand and need for rented social housing within the city. There are currently over 8,100 households on the Exeter Housing Register, of these over 1,600 are in the greatest level of need. Based on lettings during 2010/11 the average waiting time for a household joining the Housing Register in high housing need (Band B) is 374 days for a 2 bed property.

The Council's Enabling Team have been working closely with the Architect to ensure that the scale and massing of the development is in keeping with the surrounding area.

This affordable housing scheme makes good use of an area of Council land.

Further resident consultation has been carried out prior to resubmitting this application, as was discussed during the Planning Committee meeting on 4 October 2010 and afterwards with the Mincinglake Ward Councillors and the Portfolio Holder for Housing and Community Involvement. The scheme has been modified to take account of consultation findings.

These homes have been designed to meet level 4 of the Code for Sustainable Homes, and to the PassivHaus standard, making them extremely well insulated and energy efficient buildings, therefore cheap for the tenants to run. They will also be built to lifetime homes standards, enabling people to stay in them longer should they start to have mobility problems.

Acting Head of Housing Services and the Portfolio Holder for Housing support the use of this site for social rented housing.

REPRESENTATIONS

There have been 4 objections and a 48 signature petition against the proposal. The principal planning issues raised are:

- Loss of green space and play area.
- Alternative green space and play provision is too far away and will not benefit local children.
- The play area is well used by local children.
- Additional traffic.
- Loss of existing dwellings.
- Overdevelopment of the site.
- Insufficient parking and insufficient room for lorries to access the site.
- Overlooking and proximity to existing dwellings.
- Town cramming in a relatively disadvantaged part of the city that would not take place in a wealthier area.
- Amendment to the previous application is minimal.

CONSULTATIONS

County Director of Environment, Economy and Culture - The access statement supporting this application describes that the Access Road is designed on a 'home zone' principle incorporating nine car parking spaces and a footpath link, which complies with current highway standards and is acceptable. As there is an existing adopted footpath crossing this site it is essential that a 'diversion order' together with a 'temporary closure order', is made before the commencement of any works. Whilst this footpath is realigned and re-established as part of this development, it would be beneficial to create a 2.5 to 3 metres wide combined cycleway/footpath between the end of the turning area and Beacon Lane in accordance with details to be submitted to, agreed and approved by the Local Planning Authority. The submitted plans also lack adequate information relating to the access to Bennett Square and detail where the site abuts the highway. It is also essential that this information is submitted to, agreed and approved before the commencement of works and a condition to secure this information is recommended

Head of Environmental Health Services - further information is requested in respect of contamination. Conditions are recommended in respect of hours of construction/demolition and contamination.

PLANNING POLICIES/POLICY GUIDANCE

Devon County Structure Plan 2001-2016

CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development
AP2 - Sequential Approach
H1 - Search Sequence
H2 - Location Priorities
H5 - Diversity of Housing
H6 - Affordable Housing
H7 - Housing for Disabled People
T2 - Accessibility Criteria
T3 - Encouraging Use of Sustainable Modes
T10 - Car Parking Standards
EN2 - Contaminated Land
DG1 - Objectives of Urban Design
DG4 - Residential Layout and Amenity
DG2 - Energy Conservation
DG6 - Vehicle Circulation and Car Parking in Residential Development
DG7 - Crime Prevention and Safety
L3 - Protection of Open Space

Exeter City Council Supplementary Planning Document
Residential Design

OBSERVATIONS

Exeter Local Plan First Review Policy L3 applies to this site. It states that "development on open space will only be permitted if:

- (a) the loss of open space would not harm the character of the area; and
- (b) the open space does not fulfil a valuable recreational, community, ecological or amenity role; and
- (c) there is adequate open space in the area; or
- (d) the loss of open space is outweighed by its replacement in the area by open space of at least equivalent recreational, community ecological or amenity value (including, in particular, the provision and enhancement of equipped play space)."

The supporting text that accompanies this policy states that "due to the limited amount of developable land left within the built-up area, open space becomes even more important as spaces between buildings are developed...through this local plan the Council is promoting the development of previously-developed land within the City where it can be satisfactorily accommodated but development which would result in town cramming, especially in areas of open space deficiency, will not be permitted."

The space to be developed in this case was clearly intentionally part of the layout of the original housing development in Widgery Road and Bennett Square. It provides separation and green space between the houses in these two roads. It fulfils a valuable role in providing a recreational space used in particular by children. The strength of feeling expressed by local residents makes it clear that it provides a valuable recreational role. In view of the advice contained in the submitted Habitat Survey and Ecology Report, it is not of great ecological value. Nevertheless it is considered that the proposal is contrary to clause (b) of Policy L3 of the Local Plan in respect of recreational value.

The area is well served by small areas of open space. The sites chosen for the relocation of the play equipment are considered to be appropriate having regard to their proximity to the existing site, ensuring that local young people who currently enjoy these facilities are not denied them as a consequence of this proposal. However, since the proposal involves a net loss of public open space in the area, it does not accord with clause (d) of policy L3 and is a departure from Exeter Local Plan First Review. It has therefore been advertised as a departure.

It is recommended that the provision of the relocated play equipment prior to the new development taking place is secured by a condition.

The proposal has been carefully designed to ensure that there is no unacceptable overlooking or overbearing of neighbouring properties. The proposal accords with the Residential Design SPD, which requires a minimum back to back distance of 22m between habitable room windows. The scale and massing relates well to the existing built development around it. The proposed design is of a high quality which will contribute acceptably to the character of the area and the quality of the local environment.

Following discussions with the agent, amended plans are awaited which make minor alterations to the internal layout so that the internal space standards set out in the Council's Residential Design SPD are met. It is anticipated that the amendments will also include the upgrading of the footpath to a wider footpath/cycleway as requested by the County Director of Environment, Economy and Culture. The County Director's other concerns can be addressed by conditions.

It is considered that the loss of two existing dwellings is acceptable given that it facilitates the provision of 10 residences which will help to meet the huge demand and need for rented social housing in the city. As a downsizing scheme, the proposal diversifies the range of accommodation available in the area. The site is well served by local shops and facilities, and by public transport.

The highly sustainable nature of the design is welcomed.

The Building for Life Score for this development has been assessed as 15.5 - Good. Minor improvements to the layout of site could very easily increase this to Excellent, and possibly avoid future problems with security/site management. The applicant's agent has been asked to look at the assessment and to modify the scheme in response.

Members will recall that there is an interim arrangement requiring developers of all new dwellings to make a contribution of £350 per dwelling towards mitigating impact of new residential development on Natura 2000 sites. The Head of Housing will therefore be expected to make a contribution of £3,500 if this scheme is implemented.

CONCLUSION

The main issue arising from this application is the loss of open space. The arguments for and against the proposal are finely balanced. The proposal would result in the loss of recreational space. However, the facilities provided on the site are to be replaced very nearby. The proposal will help to meet the huge demand for rented social housing within the city. On balance it is concluded that the scheme is acceptable and can be approved.

SUSTAINABILITY

The building design is based on 'Passiv-Haus' principles. A passive house is a building in which a comfortable interior climate can be maintained without active heating and cooling systems. The buildings heats and cool themselves. The principles were developed in Germany and are used to achieve the highest levels of energy efficiency and ecological design standards. Increased insulation standards, exceptional levels of air tightness and a compact building skin mean that heat losses can be reduced to a minimum resulting in a requirement for very low space heating. By choosing the best orientation for the buildings and by optimising solar gains, the energy performance of the proposed design has been improved so that a conventional heating system is not required.

RECOMMENDATION

(1) Subject to the completion of a section 106 obligation (or other appropriate mechanism) to secure payment of the Natura 2000 sites contribution referred to in the report, APPROVE subject to the following conditions:

(2) That Officers be authorised to make an order under Section 257 of the Town and Country Planning Act 1990 for the diversion of the section of footpath within the application site, Committee being satisfied that it is necessary to do so in order to enable the development to be carried out [the order to include a requirement that the realigned path be upgraded to a combined footpath/cycleway of between 2.5m and 3m in width where practical].

APPROVE 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) C36 - No Trees to be Felled
- 7) C38 - Trees - Temporary Fencing
- 8) The proposed estate road, cycleway/footpath, footways, verges, junction, street lighting, sewers, drains, retaining walls, service routes, road maintenance/vehicle overhang margins, embankments, access, on-site car/cycle parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals.
- 9) No other part of the development hereby approved shall be commenced until footpath diversion and temporary closure orders have been made and re-established in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority before the occupation of the development.
Reason: To ensure that existing highway is closed during the construction period and re-established before the occupation of the development.
- 10) No part of the development hereby approved shall be occupied until the on-site car and cycle parking facilities together with any means of access shall have been provided in accordance with the requirements of this permission and retained for those purposes at all times.
Reason: To ensure that adequate access and parking facilities are available for the traffic attracted to the site.
- 11) The cycle parking shown on drawing AA(0)17 - 401 P3 shall be provided prior to occupation of the development, and the cycle parking shall be maintained thereafter.
Reason: To ensure that the cycle parking specified in the application is provided, to

encourage travel by sustainable means, in accordance with Local Plan policy T3.

- 12) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of local amenity.
- 13) No development shall take place on site until a full survey of the site has taken place to determine the extent of contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that the site is in such a condition as to be suitable for the proposed use.
Reason: In the interests of the amenity of the occupants of the building hereby approved.
- 14) No development shall begin until a scheme for generating a proportion of the energy requirement of the development from on-site renewable sources which reduce the predicted CO2 emissions by 10 per cent (or other proportion as agreed in writing), has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall thereafter be maintained so that it provides the required level of generation.
Reason: In the interests of sustainable development.
- 15) No development shall take place until a Wildlife Plan 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 in the area.
- 16) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting swifts has been submitted to, and approved in writing, by the Local Planning Authority in consultation with the RSPB. The above shall thereafter be provided, and retained, in accordance with these approved details.
Reason: In the interests of the preservation and enhancement of biodiversity in the locality.
- 17) Prior to the commencement of the development hereby permitted, the teen shelter and goal posts on the site shall be replaced and made available for use in accordance with details (including appearance and specification) which shall first have been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that appropriate play/leisure facilities are available in the area.

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

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

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Agenda Item 5

ITEM NO. 5

COMMITTEE DATE: 03/10/2011

APPLICATION NO: 11/1354/18

LAWFULNESS OF PROPOSED
USE/DEVELOPMENT

APPLICANT:
PROPOSAL:

Mrs S Mays
Ground floor extension on south west elevation (Certificate
of lawfulness for proposed development)

LOCATION:

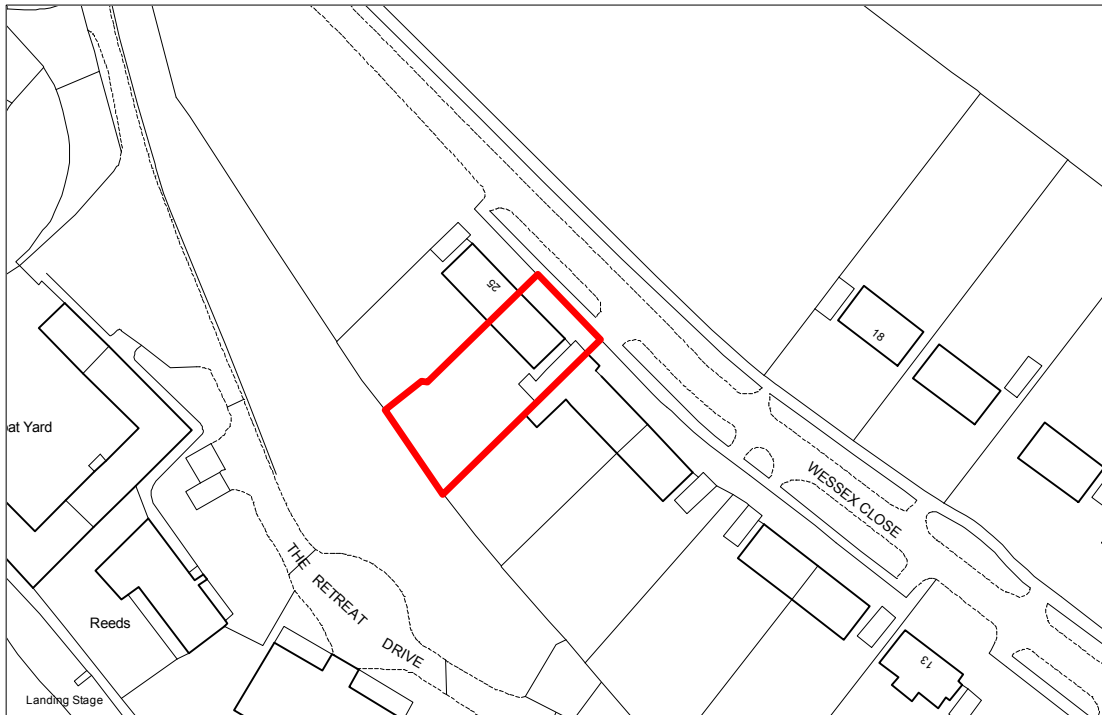
23 Wessex Close, Topsham, Exeter, EX3 0LU

REGISTRATION DATE:

15/08/2011

EXPIRY DATE:

10/10/2011



Scale 1:1250

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HISTORY OF SITE

None directly relevant.

DESCRIPTION OF SITE / PROPOSAL

The proposal relates to a twentieth century two storey semi-detached dwelling located in close proximity to the Retreat Boatyard and the M5. The surrounding area is largely residential although to the north there are areas of open land, which the Exeter Local Plan identifies as contributing positively towards the landscape setting of the city. The property is characterised by its white roughcast rendered walls, large rectangular uPVC windows and shallow roof pitch. A roof feature on the front elevation connects a porch with a detached garage and provides a canopied external area in between. This application for a Certificate of Lawfulness of Proposed Development seeks confirmation that planning permission is not required for a ground floor rear extension.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

None received.

PLANNING POLICY / GUIDANCE

Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended in 2008)

OBSERVATIONS

In respect of this scheme, the key points are that the extension would not exceed a depth of 3 metres or a height of 4 metres. The eaves would be below 3 metres in height. In addition, the extension would be constructed from materials that match those on the original house. Consequently, it is considered that the proposal constitutes Permitted Development and does not require planning permission.

RECOMMENDATION

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

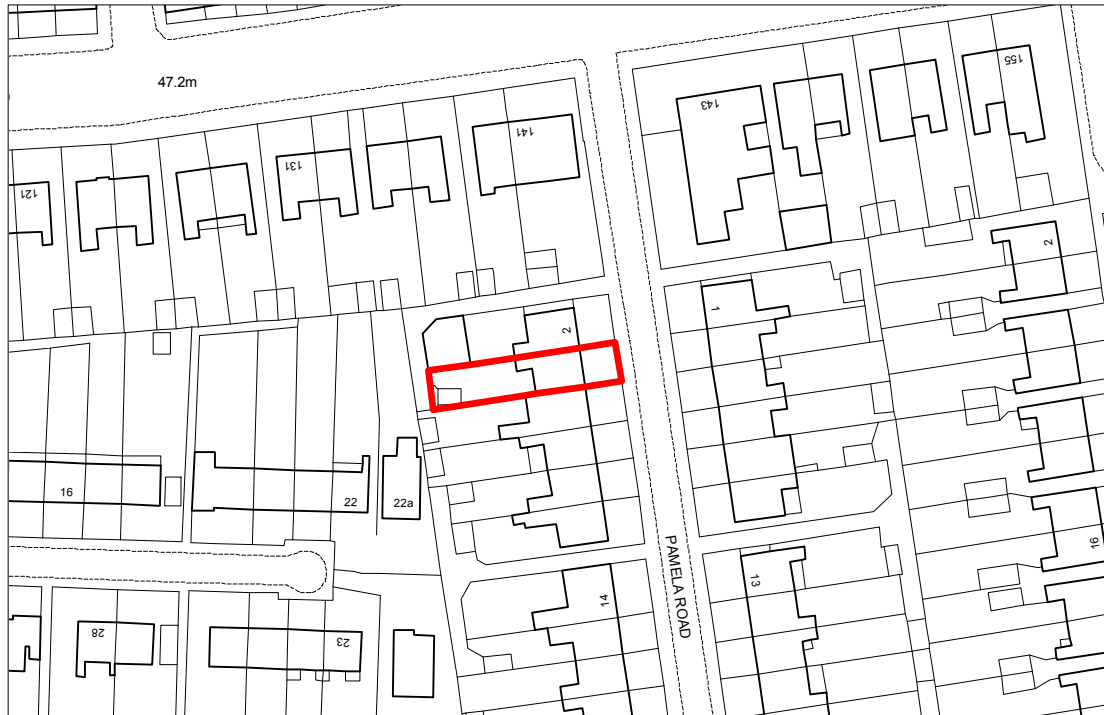
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

ITEM NO. 6

COMMITTEE DATE: 03/10/2011

APPLICATION NO: 11/1365/03 FULL PLANNING PERMISSION
APPLICANT: Mr G Hunt
PROPOSAL: Replacement outbuilding on west boundary
LOCATION: 4 Pamela Road, Exeter, EX1 2UF
REGISTRATION DATE: 25/08/2011
EXPIRY DATE: 20/10/2011



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HISTORY OF SITE

None directly relevant

DESCRIPTION OF SITE/PROPOSAL

The proposal relates to an early twentieth century two storey red brick mid-terraced dwelling in Polsloe. In the rear garden, there is a detached garage, which can be reached via a small access lane adjacent to No. 2 Pamela Road. This application seeks planning permission for a replacement outbuilding in the rear garden.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

None received.

REPRESENTATIONS

None received.

CONSULTATIONS

None received.

PLANNING POLICY/GUIDANCE

Devon Structure Plan 2001 - 2016

OBSERVATIONS

The proposal only requires planning permission because the height of the building, at 2.7 metres, would be above the 2.5 metres allowable under Permitted Development. In essence, it is not considered that the additional 0.2 metres in height makes any significant difference to the impact of the proposal. The proposed outbuilding would not affect any street scene nor would it harm any neighbouring residential amenities. The occupiers of the dwelling would retain an acceptable level of external private amenity space - around 61 square metres. It is therefore considered acceptable.

RECOMMENDATION

APPROVE 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 25 August 2011, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials

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

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

EXETER CITY COUNCIL

PLANNING COMMITTEE 3 OCTOBER 2011

OBJECTIONS TO TREE PRESERVATION ORDER NO. 633 (3 HEATHBROOK MEWS, EXETER) 2011

1. PURPOSE OF REPORT

- 1.1 This report gives details of objections that have been received by the Council to Exeter City Council Tree Preservation Order (TPO) No. 633 (Heathbrook Mews, Exeter) 2011. The Committee is requested to determine whether to confirm, modify or refuse to confirm the Order. The recommendation is that the Order is confirmed with a modification.

2. BACKGROUND

- 2.1 This TPO, which was originally made as an area TPO, protects trees in the front garden of 3 Heathbrook Mews, Exeter. The site was previously subject to TPO 222 made in 1992 covering a much larger area. Following a review in 2006 TPO 222 was revoked because it was outdated.
- 2.2 The area TPO 633 was made following a recent pre-planning application proposal for a detached dwelling in the front garden of 3 Heathbrook Mews. The garden is a heavily vegetated area in a prominent location along Beacon Heath and Harrington Lane. The area TPO was made as a matter of urgency to protect all trees on site from undesirable felling or pruning. It was intended to carry out a more detailed assessment of the trees at a later stage to identify the trees' value to the character of the area and to the public visual amenity.
- 2.3 An assessment was carried out by the Council's arboricultural specialist on 12 August 2011. Four individual trees (two Willows and two Oaks) and one group of trees (one Oak, one Ash and two Cherries) were identified to be of high public amenity value.
- 2.4 The area TPO was signed on 24 May 2011 and remains in force for a period of six months. It is proposed that the TPO should be modified so as to apply only to the trees referred to in 2.3 above, which are considered to be of importance, and confirmed as modified. If the TPO is confirmed it becomes permanent, if not the original area TPO ceases to have effect on 24 November 2011.

3. POINTS RAISED BY THE OBJECTORS

- 3.1 A letter of objection was received from the agent on behalf of the freeholder(s) of 3 Heathbrook Mews against the original area TPO 633.
- 3.2 The objections can be summarised as follows:
- If the site was of significance, a new TPO should be made straight after TPO 222 was revoked or at least should have been made when the initial planning enquiry started in April 2011;

- The vast majority of trees on site are not worthy of protection;
- Only fleeting glimpses of the site are available when driving. There is little sign of pedestrians in this area. Therefore the site has limited public visual amenity value;
- There are only several large trees on site which might genuinely warrant a TPO;
- The site looked not nearly as densely populated with trees when trees are not in leaf;
- The owners of the site are concerned that the TPO was made without cooperation with the freeholder.

4. OBSERVATIONS

- 4.1
- TPO 222 was revoked because it was outdated. At the time of revocation there was no evidence that the trees on site were under significant threat, therefore a new TPO was not then considered as a priority;
 - The area TPO is proposed to be modified so as to apply only to individual and a group of trees which are of importance;
 - The site has a significant public amenity value as Beacon Heath and Harrington Lane are frequent local routes for pedestrians, cyclists and motorists. Right next to the site there is a narrow bridge that joins Beacon Heath and Harrington Lane, which only allows one-direction traffic at one time. Pedestrians, cyclists and motorists waiting to cross the bridge would have a clear view of the trees on site;
 - Trees in full leaf look very different to the ones that are not in leaf. It is not a valid reason to withhold a TPO on deciduous trees;
 - It was not considered appropriate to enter into discussions prior to the making of TPO as this may have resulted in removal or pruning works prior to their protection.

5. NORTHERN AREA WORKING PARTY

- 5.1 Members at the Northern Area Working Party on 12 September 2011 supported confirmation of the modified TPO.

6. RECOMMENDATION

- 6.1 It is recommended that TPO 633 be confirmed with the modification referred to in paragraph 2.4 of this report.

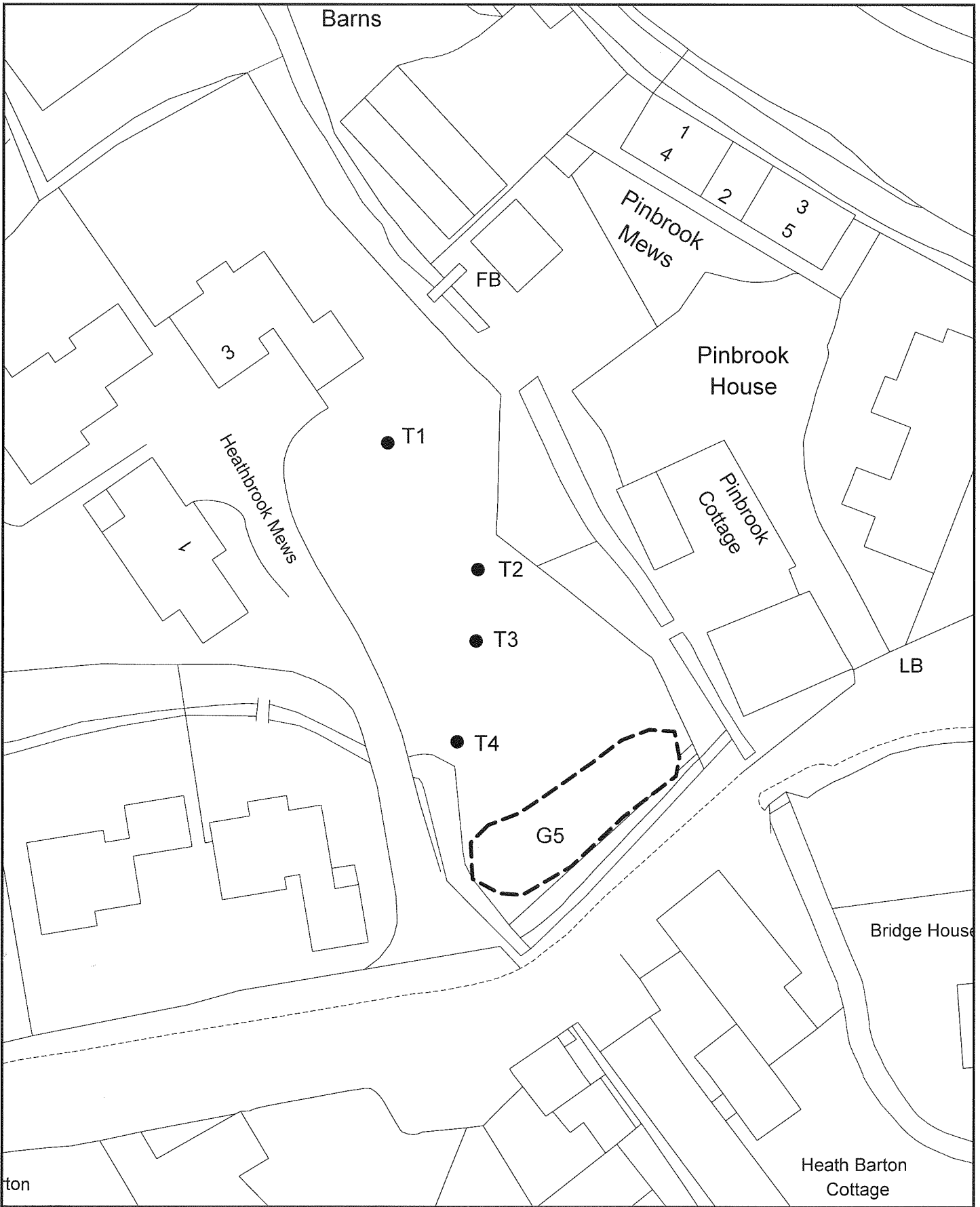
**RICHARD SHORT
HEAD OF PLANNING AND BUILDING CONTROL**

ECONOMY AND DEVELOPMENT DIRECTORATE

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

Background papers used in compiling this report:

1. Exeter City Council Tree Preservation Order No 633 (3 Heathbrook Mews, Exeter) 2011



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06/09/2011

**EXETER CITY COUNCIL TREE PRESERVATION ORDER 633
(3 Heathbrook Mews, Exeter) 2011**

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Exeter City Council

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
T1	Willow	As shown on map
T2	Oak	As shown on map
T3	Oak	As shown on map
T4	Willow	As shown on map

Trees specified by reference to an area (within a dotted black line on the map)

Reference on map	Description	Situation
None		

Groups of trees (within a broken black line on the map)

Reference on map	Description	Situation
G5	1 Oak, 1 Ash and 2 Cherry	Immediately northeast of the brook along the main road

Woodlands (within a continuous black line on the map)

Reference on map	Description	Situation
None		

PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND WITHDRAWN APPLICATIONS

1 PURPOSE OF REPORT

1.1 This report lists planning applications determined under delegated powers and applications that have been withdrawn between the date of finalising the agenda of the last Planning Committee and the date of finalising this agenda. Applications are listed by ward.

1.2 The latter part of the application reference number indicates the following type of application:

- 01 Outline Planning Permission
- 02 Approval of Reserved Matters
- 03 Full Planning Permission
- 04 Works to Tree(s) with Preservation Order
- 05 Advertisement Consent
- 06 Works to Tree(s) in Conservation Area
- 07 Listed Building Consent
- 08 Circular 18/84
- 14 Demolition in Conservation Area
- 16 Exeter City Council Regulation 3
- 17 Lawfulness of Existing Use/Development
- 18 Certificate of Proposed Use/Development
- 21 Telecommunication Apparatus Determination
- 25 County Matter Application
- 26 Devon County Council Application
- 27 Modification and Discharge of Planning Obligation Regulations
- 32 Discharge of conditions
- 37 Non Material Amendment
- 38 Extension to Extant Planning Consent

1.3 The decision type uses the following codes

- DTD Declined To Determine
- NLU Was Not Lawful Use
- PAN Prior Approval Not Required
- PAR Prior Approval Required
- PER Permitted
- REF Refuse Planning Permission
- RNO Raise No Objection
- ROB Raise Objections
- SPL Split Decision
- WDN Withdrawn by Applicant
- WLU Was Lawful Use
- WTD Withdrawn - Appeal against non-determination

1.4 Members are requested to advise the Development Manager (Andy Robbins) or Head of Planning and Building Control (Richard Short) of any questions on the schedule prior to the meeting of the Planning Committee.

2. RECOMMENDATION

2.1 That this report be noted.

RICHARD SHORT
HEAD OF PLANNING AND BUILDING CONTROL

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Application Number: 11/1136/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/9/2011
Location: Carrs, Matford Park Road, Marsh Barton Trading Estate, Exeter, EX2 8FD
Proposal: Internally illuminated fascia signs (5) on north east and (1) on south west elevation, externally illuminated double sided totem sign and flag poles (3) at south west boundary.

Application Number: 11/1050/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: Quay Climbing Centre (Site H Former Electricity Building), Haven Road, Exeter, EX2
Proposal: Non illuminated fascia signs above entrance (1) and filling two windows (2)

Application Number: 11/1192/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: Unit 5, Merriott House, Hennock Road Central, Marsh Barton Trading Estate, Exeter, EX2 8NP
Proposal: Internally illuminated fascia sign and service sign and non illuminated entrance gateway and directional sign to east elevation, internally illuminated totem sign at entrance on eastern boundary, non illuminated directional signs (2) to southern boundary.

COWICK

Application Number: 11/1338/03 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 9/2/2011
Location: 31 Dunsford Road, Exeter, EX4 1LQ
Proposal: Ground floor extension and dormers (2) on south east elevation.

Application Number: 11/1051/03 **Working Party Date:** 7/5/2011 00
Decision Type Permitted **Decision Date:** 9/19/2011
Location: Cadogan Court, Barley Lane, Exeter, EX4 1TA
Proposal: Two storey extension to south west elevation, paved courtyard area with gates (2), steps and retaining wall, new entrance extension with paved turning area to north east elevation, Kneel Wing.

Application Number: 10/0970/37 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 8/30/2011
Location: Monterey, Little Johns Cross Hill, Exeter, EX2 9PL
Proposal: Alteration of main double door on south east elevation to single door with obscure glazing on either side (Non Material Minor Amendment Ref No. 08/0864/03 granted 27 August 2008)

Application Number: 11/0966/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 8/30/2011
Location: 67 Berkshire Drive, Exeter, EX4 1NG
Proposal: Ground floor extension on north west elevation with flat roof window (Certificate of lawfulness for proposed use)

Application Number: 11/0988/03 **Working Party Date:** 8/16/2011 0
Decision Type Permitted **Decision Date:** 8/31/2011
Location: Monterey, Little Johns Cross Hill, Exeter, EX2 9PL
Proposal: Construction of garden shed at north west corner of site boundary.

DURYARD

Application Number: 10/1704/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/9/2011
Location: Rose Duryard, Lower Argyll Road, Exeter, EX4 4PB
Proposal: Replacement bin store

Application Number: 11/1155/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/12/2011
Location: Physics Building, Stocker Road, Exeter, EX4 4QL
Proposal: Revolving entrance door, glazing to foyer, window on north west elevation, ventilation grilles, roof level plant and cooling plant for laboratories

Application Number: 11/1251/03 **Working Party Date:** 9/12/2011 0
Decision Type Permitted **Decision Date:** 9/19/2011
Location: 25 Argyll Road, Exeter, EX4 4RX
Proposal: Extension on lower and upper ground floors on east elevation and creation of second floor accommodation

Application Number: 11/3106/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/1/2011
Location: Rose Duryard, Lower Argyll Road, Exeter, EX4 4PB
Proposal:

Tree no.	Species	Work
T2	Magnolia	Crown reduction by approx 30%
T4	Beech	Crown reduction by approx 20% (withdrawn)

EXWICK

Application Number: 11/1121/03 **Working Party Date:** 8/16/2011 0
Decision Type Refuse Planning Permission **Decision Date:** 9/14/2011
Location: Plot F, Land to the west of The Coach House, Cleve Lane, Exeter, EX4
Proposal: Variation of conditions 2 and 10 to approve top opening fanlights and alternative material fabrication to windows on all elevations (Ref. No. 09/1229/03 granted 15 October 2009)

Application Number: 11/1287/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: 9 Snowdrop Mews, Exeter, EX4 2PN
Proposal: Conversion of garage to provide living accommodation including window on north east and south west elevations

HEAVITREE

Application Number: 11/3107/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/1/2011
Location: 28 Salutory Mount, Heavitree, Exeter, EX1 2QE
Proposal:

Tree no.	Species	Work
T1	Fir	Crown reduction by 50%
T2	Eucalyptus	Crown reduction by 75%
T3	Fir	Crown reduction by 50%
T4	Sycamore	Crown reduction by 50%
T5	Apple	Crown reduction by 50%

Application Number: 10/0831/03 **Working Party Date:**
Decision Type Withdrawn Returned (unlikely t **Decision Date:** 9/5/2011
Location: 73-75 Fore Street, Heavitree, Exeter, EX1 2RN
Proposal: Replacement first floor windows on north and south elevations

MINCINGLAKE

Application Number: 11/1549/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/16/2011
Location: Oceania, Church Hill, Pinhoe, Exeter, EX4 9JJ
Proposal: Discharge of Condition 3 for Planning Permission Ref No. 08/1910/03 granted 28/11/2008

Application Number: 11/1215/03 **Working Party Date:** 8/15/2011 0
Decision Type Withdrawn by Applicant **Decision Date:** 9/1/2011
Location: 42 Park Lane, Exeter, EX4 9HP
Proposal: Ground floor extension on north elevation and two storey extension including garage on east elevation

POLSLOE

Application Number: 11/0648/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 9/5/2011
Location: 65 Mount Pleasant Road, Exeter, EX4 7AH
Proposal: Levelling of front garden to provide parking area and access to highway

Application Number: 11/1123/03 **Working Party Date:** 8/17/2011 0
Decision Type Refuse Planning Permission **Decision Date:** 9/5/2011
Location: Collard House, St. Marks Avenue, Exeter, EX1 2PX
Proposal: Redevelopment to provide three storey and two storey buildings comprising five self contained flats, pedestrian access to highway and associated works

Application Number: 11/1173/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/5/2011
Location: 12A, Wykes Road, Exeter, EX1 2UG
Proposal: Replacement office and workshop building.

Application Number: 11/1282/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 9/5/2011
Location: 8 Second Avenue, Exeter, EX1 2PN
Proposal: Loft conversion with dormer window on north west elevation and velux windows (2) on south east elevation (Certificate of lawfulness for proposed development)

PRIORY

Application Number: 11/1264/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/5/2011
Location: Wonford House Hospital, Dryden Road, Exeter, EX2 5AF
Proposal: Installation of inner balustrade and handrail to main stairwell

Application Number: 11/1296/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/5/2011
Location: 38 Wilford Road, Exeter, EX2 5LD
Proposal: Ground floor extension on north elevation

Application Number: 11/1124/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 9/14/2011
Location: 39 Countess Wear Road, Exeter, EX2 6LR
Proposal: Conservatory on west elevation

Application Number: 11/1276/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: 18 Well Oak Park, Exeter, EX2 5BB
Proposal: Greenhouse in south west area of garden

Application Number: 11/0979/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/21/2011
Location: Site of St Paul's Church/Hall/Parsonage, Burnthouse Lane, Exeter, EX2
Proposal: Discharge of Conditions 3, 6, 15, 19 and 21 for Planning Permission Ref No. 09/2068/03 granted 15/04/2010

Application Number: 11/1084/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 8/25/2011
Location: 9 Salmonpool Lane, Exeter, EX2 4SN
Proposal: One/two storey extension on south east elevation, extension including garage on south west elevation, steps on north west elevation and alterations to driveway

Application Number: 11/1346/32 **Working Party Date:**
Decision Type Prior Approval Required **Decision Date:** 8/25/2011
Location: Royal Devon & Exeter NHS Foundation Trust Royal Devon & Exeter Hospital, Barrack Road, Exeter, EX2 5DW
Proposal: Discharge of Conditions 3, 7 and 11 for Planning Permission Ref No. 11/0744/03 granted 15/07/2011

Application Number: 11/1249/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 8/30/2011
Location: Former St Loyes Foundation, Topsham Road, Exeter, EX2 6EP
Proposal: Relocation of storage building with integrated bat house (Non-material minor amendment to Planning Permission Ref No. 09/0832/01 granted 24 09 2010)

ST DAVIDS

Application Number: 11/0807/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/5/2011
Location: St Anne's Well Brewery Buildings, Lower North Street, Exeter, EX4
Proposal: Reinstatement of bin store on north elevation and amendment to car park layout and landscaping (Amendment to Ref No. 03/1376/03 granted 04 February 2004)

Application Number: 11/1181/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/5/2011
Location: Southernhay United Reformed Church, Southernhay East, Exeter, EX1 1QA
Proposal: Replacement entrance doors (3) on north elevation

Application Number: 11/3111/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/5/2011
Location: Royal Albert Memorial Museum, Queen Street, Exeter, EX4 3RX
Proposal:

Tree No.	Species	Work
T1	Sycamore	Fell

Application Number: 11/0906/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/8/2011
Location: Apollo Industries, Looe Road, Exeter, EX4 4BW
Proposal: Discharge of Conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 for Planning Permission Ref No. 08/0240/03 granted 27/11/2008

Application Number: 11/0907/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/8/2011
Location: Apollo Industries, Looe Road, Exeter, EX4 4BW
Proposal: Discharge of Conditions 1, 2, 3, 4 and 5 for Planning Permission Ref No. 10/1124/03 granted 03/11/2010.

Application Number: 11/1129/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/9/2011
Location: 228 High Street, Exeter, EX4 3LR
Proposal: Internally illuminated fascia signs on south east (1) and north east (2) elevations

Application Number: 11/1210/03 **Working Party Date:** 8/15/2011 0
Decision Type Permitted **Decision Date:** 9/9/2011
Location: 29 Richmond Road, Exeter, EX4 4JF
Proposal: Raising of roof to provide additional accommodation at second floor

Application Number: 11/1248/21 **Working Party Date:**
Decision Type Prior Approval Required **Decision Date:** 9/9/2011
Location: O/S Bridge Court, Exe Street, Exeter, EX4
Proposal: Proposed single BT Telecommunications DSLAM cabinet

Application Number: 11/1221/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/13/2011
Location: L B D House, 2 George Street, Exeter, EX1 1DA
Proposal: Replacement entrance door on north east elevation.

Application Number: 11/1275/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: School House, Mount Dinham, Exeter, EX4 4EB
Proposal: Demolition of first floor extension on north east elevation

Application Number: 11/1283/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: Victoria Yard, Queen Street, Exeter, EX4 4JS
Proposal: External condensing units (2) and grills (2) on north east elevation

Application Number: 11/1286/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: 6 Isambard Parade, Exeter, EX4 4BX
Proposal: Air conditioning units (2) on east elevation

Application Number: 11/1317/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/16/2011
Location: 37, 38 and 39, Queen Street, Exeter, EX4 3SR
Proposal: Discharge of Condition 3 to Planning Permission Ref. No. 10/1725/03 granted 23 December 2011

Application Number: 11/1420/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/16/2011
Location: Victoria House 33-36, Queen Street, Exeter, EX4 3SR
Proposal: Discharge of Conditions 3 and 4 for Planning Permission Ref No. 11/0599/03 granted 15/08/2011

Application Number: 11/1551/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/16/2011
Location: Units 1 & 2, 247 High Street, Exeter, EX4 4PZ
Proposal: Discharge of Condition 3 for Planning Permission Ref No. 11/1148/03 granted 01/09/2011

Application Number: 11/1256/03 **Working Party Date:** 9/13/2011 0
Decision Type Refuse Planning Permission **Decision Date:** 9/21/2011
Location: 9 Colleton Crescent, Exeter, EX2 4DG
Proposal: Alterations to create self-contained basement apartment.

Application Number: 11/1257/07 **Working Party Date:** 9/13/2011 0
Decision Type Permitted **Decision Date:** 9/21/2011
Location: 9 Colleton Crescent, Exeter, EX2 4DG
Proposal: Alterations to create self-contained basement apartment.

Application Number: 11/1145/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 8/25/2011
Location: Tozers, North Door, Broadwalk House, Southernhay West, Exeter, EX1 1UA
Proposal: Non illuminated individual letters on east elevation.

Application Number: 11/1148/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/1/2011
Location: Units 1 & 2, 247 High Street, Exeter, EX4
Proposal: Replacement shopfront and door

Application Number: 11/1154/07 **Working Party Date:** 8/15/2011 0
Decision Type Permitted **Decision Date:** 9/1/2011
Location: The Castle, Castle Street, Exeter, EX4 3PS
Proposal: Automation of vehicle entrance gates

ST JAMES

Application Number: 11/0746/03 **Working Party Date:** 8/15/2011 0
Decision Type Permitted **Decision Date:** 8/24/2011
Location: 42 Sidwell Street, Exeter, EX4 6NS
Proposal: Change of use from shop to financial and professional services.

Application Number: 11/1099/03 **Working Party Date:** 8/15/2011 0
Decision Type Withdrawn by Applicant **Decision Date:** 9/2/2011
Location: 3 Well Street, Exeter, EX4 6QR
Proposal: Redevelopment of existing garage to provide four storey building comprising two retail units with two residential apartments above, parking and associated works

Application Number: 11/1100/14 **Working Party Date:** 8/15/2011 0
Decision Type Withdrawn by Applicant **Decision Date:** 9/2/2011
Location: 3 Well Street, Exeter, EX4 6QR
Proposal: Demolition of garage

Application Number: 11/0476/03 **Working Party Date:** 3/28/2011 0
Decision Type Permitted **Decision Date:** 9/5/2011
Location: Kilmorie Hall, Pennsylvania Road, Exeter, EX4 6DG
Proposal: Redevelopment to provide two two storey buildings comprising six student cluster flats, parking and associated works

Application Number: 10/1989/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/6/2011
Location: Flat 3, 14 Pennsylvania Road, Exeter, EX4 6BH
Proposal: Replacement sash windows (4) and installation of gas central heating with boiler flue at first floor west elevation.

Application Number: 11/1380/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/7/2011
Location: 69-73, Sidwell Street, Exeter, EX4 6PJ
Proposal: Alteration to floor plans to allow single and double room occupancy, alteration to retail store frontage on south east elevation to incorporate an emergency exit, reduction in number of windows on north east and south west elevations and addition of a basement to provide ancillary accomodation (Non Material Minor Amendment to Planning Permission Ref No. 10/1906/03 granted: 24 03 2011)

Application Number: 11/1205/03 **Working Party Date:** 8/15/2011 0
Decision Type Refuse Planning Permission **Decision Date:** 9/8/2011
Location: 49 Sidwell Street, Exeter, EX4 6NS
Proposal: Removal of condition 7 (opening hours) to allow 24 hour trading (Ref No. 98/0849/03 granted 11/08/1999)

Application Number: 11/0477/14 **Working Party Date:** 3/28/2011 0
Decision Type Permitted **Decision Date:** 9/9/2011
Location: Kilmorie Hall, Pennsylvania Road, Exeter, EX4 6DG
Proposal: Demolition of buildings on east boundary

Application Number: 11/1206/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: 12 Howell Road, Exeter, EX4 4LG
Proposal: Replacement windows (2) on ground floor north elevation and internal works on third floor.

Application Number: 11/3113/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: 22 West Avenue, Exeter, EX4 4SD
Proposal: Tree no. Species Work
 T1 Prunus Heavy prune to remove all the leaning branches

Application Number: 11/1077/03 **Working Party Date:** 8/15/2011 0
Decision Type Refuse Planning Permission **Decision Date:** 8/24/2011
Location: 21 New North Road, Exeter, EX4 4HF
Proposal: Change of use from hotel to house in multiple occupation

Application Number: 11/1087/17 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 8/31/2011
Location: 92/93, Sidwell Street, Exeter, EX4 6PH
Proposal: Change of use of Flat 2, Ground Floor to one flat and two bedsits and change of use of Flat 3, Ground Floor from Class B1 (Office use) to Class C3 (Residential use). (Certificate of lawfulness for existing development)

Application Number: 11/1122/03 **Working Party Date:** 8/15/2011 0
Decision Type Refuse Planning Permission **Decision Date:** 9/1/2011
Location: 19 Prospect Park, Exeter, EX4 6NA
Proposal: Change of use from dwelling to house in multiple occupation (C4 use)

ST LEONARDS

Application Number: 11/3108/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/1/2011
Location: 7 Matford Avenue, Exeter, EX2 4PP
Proposal: Tree no. Species Work
 T1 Holm Oak Fell

Application Number: 11/1451/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/2/2011
Location: 25 Lyndhurst Road, Exeter, EX2 4PA
Proposal: Realignment of extension on south east elevation (Non Material Minor Amendment Ref No. 11/0679/03 granted 06 06 2011)

Application Number: 11/1500/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/7/2011
Location: 11 Bagshot Avenue, Exeter, EX2 4RN
Proposal: Discharge of Conditions 1 & 2 for Planning Permission Ref No. 10/0719/03 granted 03/11/2010

Application Number: 11/1198/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/12/2011
Location: 19 St. Leonards Road, Exeter, EX2 4LA
Proposal: Replacement extension and alterations to existing extension on east elevation

Application Number: 11/1263/16 **Working Party Date:** 9/13/2011 0
Decision Type Withdrawn by Applicant **Decision Date:** 9/13/2011
Location: Belle Isle Nursery, Bungalow Lane, Belle Isle Drive, Exeter, EX2
Proposal: Repositioning of depot boundary fence along south east boundary and path

Application Number: 11/1335/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 9/14/2011
Location: 20 Knightley Road, Exeter, EX2 4SR
Proposal: Ground floor extension on north west elevation (Certificate of lawfulness for proposed development)

Application Number: 11/1261/03 **Working Party Date:** 8/16/2011 0
Decision Type Withdrawn by Applicant **Decision Date:** 9/15/2011
Location: Exeter School, Victoria Park Road, Exeter, EX2 4NS
Proposal: Temporary storage building in north west corner of site

Application Number: 11/3114/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/16/2011
Location: 1 Romsey Drive, Exeter, EX2 4PB
Proposal:

Tree no.	Species	Work
T1	Bay	Trim back by approx 0.6m, reduce and reshape
T2	Holly	Trim back by approx 0.6m, reduce and reshape
T3	Hazel	Reduce to approx 1.8m
T4	Holm Oak	Reduce top growth by approx 1.8m
T5	Lime	Reduce low branches over roof

Application Number: 11/3117/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/16/2011
Location: 14 St. Leonards Road, Exeter, EX2 4LA
Proposal: Tree no. Species Work
 T1 Birch Crown reduce by 30%
 T2 Beech Crown reduce by 20%

Application Number: 10/2039/38 **Working Party Date:**
Decision Type Withdrawn Returned (unlikely t **Decision Date:** 9/21/2011
Location: 40 Magdalen Road, Exeter, EX2 4TE
Proposal: Installation of 2 rooflights on south elevation, alterations to windows on east and west elevations, internal walls and doors (Extension of Time for Extant Listed Building Consent Ref No 07/1936/07 granted 21 December 2007)

Application Number: 11/3105/06 **Working Party Date:** 8/16/2011 0
Decision Type Permitted **Decision Date:** 8/24/2011
Location: Larkbeare House, Topsham Road, Exeter, EX2 4NG
Proposal: Tree no. Species Work
 T1 Ash Fell
 T2 Prunus Fell
 T3 Prunus Fell
 T4 Prunus Fell
 T5 Prunus Fell
 T6 Prunus Fell

ST LOYES

Application Number: 11/0805/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/5/2011
Location: 66 Broadfields Road, Exeter, EX2 5RQ
Proposal: Ground floor extension on north west elevation

Application Number: 11/1007/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/5/2011
Location: 3 Brook Cottages, Quarry Lane, Exeter, EX2 5JS
Proposal: First floor extension on south elevation

Application Number: 04/1252/03 **Working Party Date:** 8/11/2004 0
Decision Type Withdrawn by Applicant **Decision Date:** 8/28/2011
Location: Moto Services Site, Sidmouth Road, Exeter, EX2
Proposal: Three storey building (1452 sq. m.) for office use (Class B1), parking and associated works

ST THOMAS

Application Number: 11/0860/38 **Working Party Date:** 7/5/2011 00
Decision Type Permitted **Decision Date:** 9/2/2011
Location: Former Speedway Garage, 63 Cowick Street, Exeter, EX4 1HW
Proposal: Mixed-use development comprising 2 retail outlets and 7 self-contained flats, covered and uncovered parking, access to highway and associated works (Extension of time for extant planning permission Ref No. 08/1052/03 granted 01 08 2008)

Application Number: 11/1247/21 **Working Party Date:**
Decision Type Prior Approval Required **Decision Date:** 9/5/2011
Location: On Queens Road o/s 22, Sydney Road, Exeter, EX2
Proposal: Proposed single BT Telecommunications DSLAM cabinet

Application Number: 11/1130/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/12/2011
Location: 35 Cowick Street, Exeter, EX4 1AW
Proposal: Non-illuminated fascia sign and hanging sign on north elevation and non illuminated fascia sign on east elevation.

Application Number: 11/0978/03 **Working Party Date:** 8/16/2011 0
Decision Type Permitted **Decision Date:** 9/13/2011
Location: Land to west of 29, Holland Road, Exeter, EX2 9BX
Proposal: Redevelopment to provide two terraced dwellings.

Application Number: 11/1131/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/13/2011
Location: 35 Cowick Street, Exeter, EX4 1AW
Proposal: Non-illuminated fascia sign and hanging sign on north elevation and non illuminated fascia sign on east elevation.

Application Number: 11/1245/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: Unit 4, The Exebridge Centre, Cowick Street, Exeter, EX4 1AH
Proposal: Erection of three trolley bays within car park

Application Number: 11/1246/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/14/2011
Location: Unit 4, The Exebridge Centre, Cowick Street, Exeter, EX4 1AH
Proposal: Internally illuminated fascai signs (2) on north east elevation and non illuminated trolley shelter signs (3)

Application Number: 11/1397/26 **Working Party Date:** 9/13/2011 0
Decision Type Raise No Objection **Decision Date:** 9/14/2011
Location: St Thomas Primary School, School Road, Exeter, EX2 9BB
Proposal: Additional fencing on playground to stop footballs going into neighbours' gardens (revised application)

Application Number: 11/1288/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/19/2011
Location: Unit 4, The Exebridge Centre, Cowick Street, Exeter, EX4 1AH
Proposal: Erection of plant, palasade enclosure, goods canopy, barrier, condenser units (5) and extractor vents

Application Number: 11/1259/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/20/2011
Location: 23 Sanford Place, Exeter, EX2 9FD
Proposal: Ground floor extension on west elevation

TOPSHAM

Application Number: 11/1298/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/1/2011
Location: 4 Rydon Lane, Exeter, EX2 7AW
Proposal: Change from window to french doors with juliette balcony on 1st floor of rear elevation, change from two sets of patio doors to 1 four panel patio door on ground floor of rear elevation and reduction in height of lantern window on roof of ground floor extension (Non-material minor amendment to Planning Permission Ref No. 11/0607/03 granted 22 07 2011)

Application Number: 11/0704/03 **Working Party Date:** 8/17/2011 0
Decision Type Permitted **Decision Date:** 9/5/2011
Location: 92 Fore Street, Topsham, Exeter, EX3 0HQ
Proposal: Ground floor extension and pitched roof to existing two storey extension on west elevation.

Application Number: 11/0705/07 **Working Party Date:** 8/17/2011 0
Decision Type Permitted **Decision Date:** 9/5/2011
Location: 92 Fore Street, Topsham, Exeter, EX3 0HQ
Proposal: Ground floor extension and pitched roof to existing two storey extension on west elevation, new and replacement windows on north, west and south elevations, internal works to ground and first floors.

Application Number: 11/1052/03 **Working Party Date:** 8/17/2011 0
Decision Type Permitted **Decision Date:** 9/5/2011
Location: 26 Monmouth Street, Topsham, Exeter, EX3 0AJ
Proposal: Replacement ground floor extension and first floor window on south east elevation.

Application Number: 11/1053/07 **Working Party Date:** 8/17/2011 0
Decision Type Permitted **Decision Date:** 9/5/2011
Location: 26 Monmouth Street, Topsham, Exeter, EX3 0AJ
Proposal: Demolition of existing, and replacement ground floor, extension and replacement first floor window on south east elevation.

Application Number: 11/1238/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/5/2011
Location: Weir View, Old Rydon Lane, Exeter, EX2 7JZ
Proposal: Non illuminated pole mounted sign added underneath existing sign adj to Rydon Lane

Application Number: 11/1226/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/12/2011
Location: 40 Higher Shapter Street, Topsham, Exeter, EX3 0AW
Proposal: Ground floor extension on south east elevation

Application Number: 11/1345/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 9/12/2011
Location: Tideways, Retreat Drive, Topsham, Exeter, EX3 0LS
Proposal: Two storey extension on north west elevation including garage and balcony

Total Number of Delegated Decisions Made:

123

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

Background papers used in compiling the report:

Files of Planning Applications available for inspection from:

Planning Services, Exeter City Council, Civic Centre, Paris Street, Exeter EX1 1NN

Telephone No: 01392 265223

EXETER CITY COUNCIL

PLANNING COMMITTEE 3 OCTOBER 2011

ENFORCEMENT PROGRESS REPORT

1.0 PURPOSE OF REPORT

1.1 To update Members on enforcement matters.

2.0 CASES OPENED AND CLOSED BETWEEN 15 AUGUST 2011 AND 12 SEPTEMBER 2011

Cases opened: 4

Cases closed: 10

Outstanding number of cases: 108

3.0 NOTICES ISSUED

3.1 None

4.0 NOTICES COMPLIED WITH

4.1 None

5.0 CURRENT APPEALS

5.1 ENF/10/23 - 6 Florida Drive, Exeter – Enforcement Notice issued on 6 June 2011 for a change of use of land providing a visual amenity for the public benefit, to land forming part of the private garden of the dwelling. An appeal was submitted on 26 July 2011 and is being dealt with by written representations. The Council's statement was submitted on 11 August 2011. The Inspector's decision is now awaited.

6.0 ENFORCEMENT APPEAL DECISIONS

6.1 None

7.0 OTHER ISSUES

7.1 ENF/11/58 – 19 New North Road, Exeter – Members may be aware of the recent media coverage concerning the alleged unauthorised works to two copper beech trees located in the front garden of the property above. Both trees have had the majority of their branches removed, and a strip of bark removed from the circumference of each tree causing irreversible damage that is likely to result in their demise.



7.2 The property falls within the St David's Conservation Area and as such the trees are subject to legal protection under the Town and Country Planning Act 1990. The owner of the property has been invited to attend a formal interview after caution at the Civic Centre to discuss the reasons for undertaking these works, but has so far declined to speak directly with Council officers.

7.3 The matter has been referred to Legal Services to respond to the owner's written representations. The Council will await the owner's response before taking a view as to whether to pursue prosecution proceedings. Members will be updated next month.

7.4 Jubilee Road, Exeter – A complaint was received in respect of several loft box extensions at the rear of properties on Jubilee Road. A survey was undertaken to ascertain their planning history and it was established that enforcement action could only be taken against one of the three loft box extensions identified.

7.5 Given that all three loft box extensions appear to have been constructed in a similar manner and using similar materials, Officers did not consider it expedient to pursue enforcement action against only one of these structures. A report was considered by Planning Member Working Group on 20 September 2011, where Members agreed to support the Officers decision not to take any further action.

8.0 RECOMMENDATION

8.1 That this report be noted.

RICHARD SHORT
HEAD OF PLANNING AND BUILDING CONTROL
ECONOMY AND DEVELOPMENT DIRECTORATE

Local Government (Access to Information) 1985 (as amended).
 Background papers used in compiling the report: none.

EXETER CITY COUNCIL

PLANNING COMMITTEE
03 OCTOBER 2011

APPEALS

DECISIONS RECEIVED

SUMMARY: 4 appeal decisions have been received since the last report: all were dismissed.

3, Victory House, Magdalen Street, Exeter, Devon, EX1 1RB.



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Reference Nos: 10/1496/07 (Appeal A) (Against refusal of Listed Building Consent)
10/1495/03 (Appeal B) (Against refusal of Planning Permission)

Proposal: Loft conversion with installation of roof windows on the north elevation.

Application Decisions: Delegated Refusals

Type of Appeals: Written Representations

Appeal Decisions: BOTH DISMISSED

Grounds:

The Inspector noted that the appeal premises lie within the curtilage of the mid 18th century grade II* listed former Royal Devon and Exeter Hospital. It is also situated within the Southernhay Conservation Area. Victory House/Wing was built in the 1920s and is being converted into a mix of uses, including residential. The pleasing architectural qualities of this building include its largely uninterrupted slate roof and the rhythmic arrangement of its windows. Whilst the northern elevation is largely hidden from public view it is an integral part of a group of former institutional buildings which makes an important contribution to the historic and architectural interest of this part of the city.

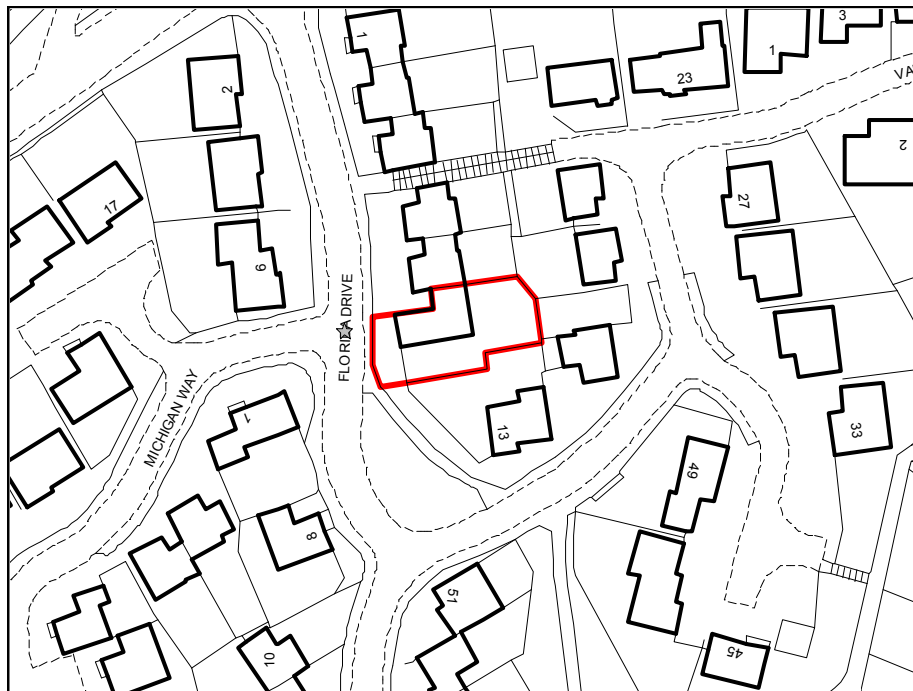
The Inspector considered that the proposed rooflights would disrupt the simple form and appearance of the roof. When seen from the curtilage of the listed building this would create a sense of clutter and compromise the appearance of Victory House/Wing and diminish its contribution to the group. He also agreed with English Heritage that the disposition of the roof lights would appear unbalanced and would not be well related to the architectural and structural conventions of the host building.

The scheme would diminish the contribution the building/group makes to the character and appearance of the Conservation Area and would conflict with development plan policies that are aimed at safeguarding heritage assets. This harm would not be outweighed by any public benefit. The proposal would also conflict PPS 5 'Planning for the Historic Environment'.

Whilst accepting that each case must be determined on its own merits the Inspector considered that approval could make it difficult in future for the Council to resist other similar proposals to the building. This would be likely to result in further cumulative harm to designated heritage assets.

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Summerhill, 11 Florida Drive, Pennsylvania, Exeter, EX4 5EX.



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Reference No: 11/0208/03

Proposal: Installation of patio doors at first floor level (rear elevation) and construction of balcony and access staircase to garden level.

Application Decision: Delegated Refusal

Type of Appeal: Householder

Appeal Decision: DISMISSED

Grounds:

The main issues were the effect of the proposal on the living conditions of neighbours in terms of privacy and outlook, and on the character and appearance of the area.

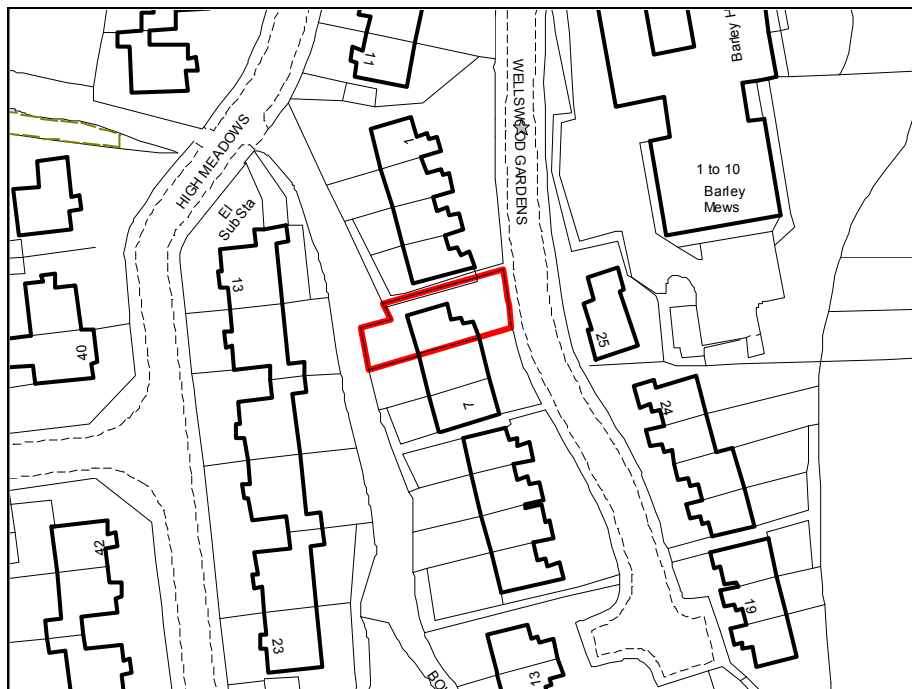
The appeal property was built on sloping land within a suburban housing estate. The neighbouring houses to the east, Nos. 15, 17 and 19, and No 13 to the south, all lie on lower ground. The proposed balcony and staircase would be attached to the rear elevation of the house and served by new French doors. The Inspector considered that mature vegetation screening and the relative orientation of the rear elevations in the case of No. 15, and distance and orientation in the case of No 19, should avoid any unreasonable loss of privacy or outlook for these properties. However, the close proximity of the proposed works to the facing rear elevation of No. 17, along with the differences in levels, would result in unacceptable levels of intervisibility between the properties which he considered would result in an unreasonable loss of privacy for the occupiers of No. 17.

Although No 13 was well screened by vegetation, if this vegetation were not present, the use of the balcony for sitting out would result in be a considerable loss of privacy for the occupiers of No 13. This added to the Inspector's concern about the proposal. However, he did not consider the structure itself would be so visually intrusive, nor so out of character with the existing and surrounding buildings, as to result in harm to the outlook of neighbours or to the street scene.

The Inspector concluded that the proposal would fail to accord with ELP Policy DG4(b) and the Council's adopted SPD *Householder's Guide to Extension Design*.

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5 Wellswood Gardens, Exeter EX4 1RH



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Reference No: 11/0784/03

Proposal: Two storey extension to front elevation of dwelling, comprising bedroom extensions/additions and lounge extension.

Application Decision: Delegated Refusal

Type of Appeal: Householder

Appeal Decision: DISMISSED

Grounds:

The main issue was the effect of the proposed development on the character and appearance of the existing dwelling and the surrounding area.

The Inspector noted that most dwellings in Wellswood Gardens have projecting integral garages, with the projection contained beneath a flat roof. Although some of the dwellings have two storey front projections, most of these are extensions constructed over the garage under a sloping catslide roof, which helped to minimise their height and bulk.

The appeal scheme included both a two storey front extension with a gabled roof and the construction of a catslide roof over the garage. This resulted in considerable additional bulk to the front elevation, largely obscuring the original facade. The Inspector agreed with the Council that the combined bulk and mass of the additions was disproportionate when considered in the context of the modest form and proportions of the existing dwelling. Furthermore, the existing small terrace at Nos 5-7 was characterised by sloping catslide or mono-pitched roofs to the front elevation. The introduction of a gabled extension into this group would create an unbalanced composition. This would only exacerbate the obtrusive effect of the proposed additions, to the detriment of the street scene.

The Inspector concluded that the proposed development would cause significant harm to the character and appearance of the existing dwelling and the surrounding area. Contrary to DSP Policy CO6 and ELP Policy DG1 and the Council's adopted SPD *Householder's Guide to Extension Design*. The proposal also conflicted with the draft National Planning Policy Framework, which is a material consideration, to the extent that this is concerned to create a good quality built environment.

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APPEALS LODGED

Application	Proposal	Start Date	Received Date
22 Cathedral Yard, Exeter, EX1 1HB (Listed Building Consent)	Non illuminated hanging sign on south elevation.	24/08/2011	24/08/2011
22 Cathedral Yard, Exeter, EX1 1HB (Advertisement Consent)	Non illuminated hanging sign on south elevation	24/08/2011	24/08/2011
21 New North Road, Exeter, EX4 4HF	Change of use from hotel to house in multiple occupation	08/09/2011	08/09/2011

RICHARD SHORT
HEAD OF PLANNING AND BUILDING CONTROL

ECONOMY AND DEVELOPMENT DIRECTORATE

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.

Available for inspection from: -

Planning Services, Civic Centre, Paris Street, Exeter (01392) 265223