

To the Chair and Members
of the Planning Committee

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Our ref:
Your ref:

A meeting of the **PLANNING COMMITTEE** will be held in the **RENNES ROOM, CIVIC CENTRE, PARIS STREET, EXETER** at **5.30 pm** on **MONDAY 16TH JANUARY 2012** to consider the following business. If you have an enquiry regarding any items on this agenda, please contact Sarah Selway, Member Services Officer on **Exeter 265275**.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

A G E N D A

Part I: Items suggested for discussion with the press and public present

1

APOLOGISES

To receive apologies for absence from Committee members.

2

MINUTES

To sign the minutes of the meeting held on 31 October 2011.

3

DECLARATIONS OF INTEREST

Councillors are reminded of the need to declare personal and prejudicial interests, including the nature and extent of such interests, in relation to business on the agenda, before any discussion takes place on the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC

It is not considered that the Committee would be likely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed: -

RECOMMENDED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part I of Schedule 12A of the Act.

Public Speaking

Public speaking on planning applications and tree preservation orders is permitted at this Committee. Only one speaker in support and one opposed to the application may speak and the request must be made by 5pm on the Thursday before the meeting (full details available on request from the Member Services Officer).

5 PLANNING APPLICATION NO.11/1737/03 - RED HOUSE, 2 WHIPTON VILLAGE ROAD, EXETER, EX4 8AR

To consider the report of the Head of Planning and Building Control.

1 - 6

(Report circulated)

6 PLANNING APPLICATION NO.11/1291/01 - SEABROOK ORCHARDS (FORMERLY LAND TO NORTH OF TOPSHAM TOWN AFC GROUND), TOPSHAM ROAD, TOPSHAM, EXETER

To consider the report of the Head of Planning and Building Control.

7 - 34

(Report circulated)

7 PLANNING APPLICATION NO.11/1748/03 - FORMER A H MODA, 4-5 ROMAN WALK, EXETER

To consider the report of the Head of Planning and Building Control.

35 - 40

(Report circulated)

8 VARIATION OF CONDITION NO.11/1533/03 - THE EXEBRIDGE CENTRE, COWICK STREET, EXETER

To consider the report of the Head of Planning and Building Control.

41 - 46

(Report circulated)

9 DEVON COUNTY COUNCIL CONSULTATION NO.11/2053/26 - 35 CHURCH ROAD, EXETER, EX2 9AZ

To consider the report of the Head of Planning and Building Control.

47 - 50

(Report circulated)

10 PLANNING APPLICATION NO.11/1582/03 - FORMER GUIDE DOGS FOR THE BLIND KENNELS, EXWICK LANE, EXETER, EX4 2AR

To consider the report of the Head of Planning and Building Control.

51 - 56

(Report circulated)

11 TREE PRESERVATION ORDER NO. 637 (WESTHAY, STREATHAM RISE, EXETER) 2011

To consider the report of the Head of Planning and Building Control.

57 - 60

(Report circulated)

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

To consider the report of the Head of Planning and Building Control.

61 - 88

(Report circulated)

13 **ENFORCEMENT PROGRESS REPORT**

To consider the report of the Head of Planning and Building Control.

89 - 90

(Report circulated)

14 **APPEALS REPORT**

To consider the report of the Head of Planning and Building Control.

91 - 92

(Report circulated)

15 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 7 February 2012 at 9.30 a.m. The Councillors attending will be Clark, Denham and Winterbottom.

DATE OF NEXT MEETING

The next scheduled meeting of the Planning Committee will be held on **Monday 20 February 2012** 5.30 pm. in the Civic Centre.

Membership -

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

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Agenda Item 5

<u>ITEM NO.</u>	5	<u>COMMITTEE DATE:</u>	16/01/2012
<u>APPLICATION NO:</u>	11/1737/03	FULL PLANNING PERMISSION	
<u>APPLICANT:</u>	Mr J Kennard		
<u>PROPOSAL:</u>	Change of use from hotel to hostel		
<u>LOCATION:</u>	Red House, 2 Whipton Village Road, Exeter, EX4 8AR		
<u>REGISTRATION DATE:</u>	20/10/2011		
<u>EXPIRY DATE:</u>	15/12/2011		



Scale 1:2000

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DESCRIPTION OF SITE/PROPOSAL

2 Whipton Village Road, otherwise known as The Red House Hotel, is located near the junction of Whipton Village Road and Pinhoe Road. The building occupies a large, prominent site measuring approximately 1250 sq.metres in area. The locality is essentially residential in character with a mixture of flats, traditional dwellings and a care home all located in close proximity to the application site. The site is within walking distance of a designated local centre which benefits from a variety of commercial units including shops, pubs, hairdressers and take-aways. The building itself, although somewhat tired in appearance, benefits from some impressive detailing with tile-hung gable features and imposing two storey bay windows.

Planning Permission is sought for a change of use from hotel (Use Class C1) to a hostel (Use Class Sui-Generis). The proposed use is almost identical to the Trailways facility located at Venny Bridges in that it will serve the young vulnerable homeless in need of emergency accommodation. The hotel currently has a total of eleven bedrooms with associated bar and restaurant areas. The proposed change of use would allow for a total of eighteen self-contained en-suite bedrooms with kitchen facilities including one emergency room and one staff bedroom, a large communal room, an office and interview room and a laundry room. No extensions or external alterations are required to facilitate the proposed change of use.

The users of the proposed facility will be identified by the City Council Housing Department and Devon County Council Social Services. However, no formal arrangement or contract has yet been agreed. In essence accommodation will be provided for a limited period whilst referrals are completed and more suitable permanent accommodation is identified. It is believed the City Council will utilise six bed-spaces and Devon County Council will utilise ten bed-spaces, with the average length of stay being approximately six weeks, although this could be shorter or longer depending on personal circumstances. It is worth clarifying that the accommodation is not secure but supported in that the facility will be managed 24 hours a day with two on site staff employed throughout the night. No element of care will be provided.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied with a Planning Statement. Key points raised include:-

- The hotel currently has a bar (24 hour licence), restaurant and eleven rooms. The applicant advises the proposed change of use will drastically reduce the number of vehicles entering and leaving the hotel during the day and night.
- The owner has a standing contract with Exeter City Council to provide supported accommodation for homeless households at Trailways, 1 Venny Bridge, Pinhoe. Should planning permission be forthcoming, the same management methods and procedures used at Trailways will be implemented.
- The hostel will be managed by the applicant and his wife. However, two overnight waking managers will be employed together with a team of support workers to ensure the premises are staffed 24 hours a day. The site will also benefit from a comprehensive CCTV system.

REPRESENTATIONS

76 objections have been received. The principal planning issues raised are:

- Detrimental impact on the character of the area.
- Wrong location.
- Increase in anti-social behaviour.
- Heightened perception of fear of crime.
- Lack of social cohesion.
- Loss of community asset.
- Increased traffic.
- Reduction in trade for local businesses.
- Out of keeping with the residential area.
- Quality of residential amenity reduced.
- Loss of employment.
- Inappropriate drainage.

A 41-signature petition against the proposal has also been submitted, citing similar issues to those above.

2 letters of support have been received, on the grounds that more accommodation to support vulnerable people is required, and such a change of use will enable disadvantaged people to receive support and live independent lives.

CONSULTATIONS

The Executive Director of Environment, Economy and Culture has no objection to the proposed development.

The City Council's Projects and Business Manager recommends a single condition with regard to the provision of secure cycle storage.

The Head of Environmental Health raise no objection to the proposed development.

A response from the Police Architectural Liaison Officer is awaited.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance
PPS1 - Delivering Sustainable Development
Devon County Structure Plan 2001-2016
ST1 - Sustainable Development
CO6 - Quality of New Development
Exeter Local Plan First Review 1995-2011
H1 - Search Sequence
H2 - Location Priorities
T3 - Encouraging Use of Sustainable Modes
H5 - Diversity of Housing
DG1 - Objectives of Urban Design
DG4 - Residential Layout and Amenity

OBSERVATIONS

The demand for special needs housing has and continues to increase. Policy H5 of the Exeter Local Plan states that the conversion of dwellings to flats, self-contained bedsitters or houses in multiple occupation and the development of special needs or student housing will be permitted provided that:- a) the scale and intensity of use will not harm the character of the building and locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on-street parking issues, b) The proposal will not create an over-concentration of the use in any one area of the city which would change the character of the neighbourhood or create an imbalance in the local community, c) Special needs housing is located close to local shops and services, community facilities and bus routes, and d) Student accommodation is located so as to limit the need to travel to the campus by car.

Within the last 18 months the City Council have seen an increase in households approaching the Housing Needs service facing homelessness. As a result of cuts in services, the economic downturn and specific changes to welfare benefits single people under 25 have been particularly impacted. When no better alternative is available Bed and Breakfast accommodation is provided to homeless young people. This is not satisfactory as the accommodation has shared facilities, does not provide a kitchen area and provides no support. Additional self-contained supported accommodation would therefore provide safer, better managed and cheaper accommodation for homeless young people.

It is considered that the best location for a hostel is within an established residential area where an existing community and infrastructure already exists. Whipton Village Road and the immediate surroundings fall into this category and therefore could absorb the proposed use without difficulty. No objection in principle to the proposed use can be raised as a residential use in what is essentially a residential area is considered acceptable. Other associated issues are explored below.

Central Government guidance advises that planning is concerned with the use of the land and not the identity of the end user. Consequently the question of who is to occupy the proposed hostel is only relevant if there is an obvious link between the identity of the occupiers and the likely impact of the hostel on the surrounding area.

It is clear from the representations received that there is much concern among local residents about the possibility of anti-social or criminal behaviour associated with the prospective residents of the hostel. The courts have established that public fear and apprehension about the impact of a development is capable of being a material consideration, and therefore regard must be given to these concerns. However the weight

attributed to these concerns will depend in part on a judgement as to how realistic and well-founded the residents' concerns are.

The officers' view is people in need of temporary accommodation whilst they may face a range of problems do not inevitably have a propensity for crime or anti-social behaviour. Consequently it is considered that the apprehension of crime/anti-social behaviour in this instance is not sufficient reason to refuse the application.

If planning permission is forthcoming the applicant has agreed to accept a condition relating to the submission and agreement of a management plan prior to occupation.

A number of traffic and parking generation objections have been received. Given the nature of the proposed use it is unlikely that the residents of the hostel would be car owners. It is probable that some may be below the legal driving age. Consequently the only likely traffic generation/parking implication of the use would stem from staff and visitors cars. Should the position arise where a number of residents do have cars, the Executive Director of Environment, Economy and Culture at Devon County Council has confirmed that the existing 20 on-site parking spaces are considered adequate to accommodate this change of use without detriment to highway safety.

Whilst a number of internal alterations are proposed, no structural works to the external appearance of the building are required to facilitate the proposed change of use. The only works to the external facade relate to the removal of existing hotel signage and the removal of the existing vinyl canopies associated with the established hotel use. In context the removal of both features will improve the overall appearance of the building by ensuring the property is more in keeping with its residential surroundings. A number of objectors highlight the prominence of the host building and its importance within the street scene. Allowing the proposed change of use will not alter its prominence or importance within the immediate vicinity.

The physical relationship between the application site and adjacent properties will not change. The property most affected by the proposal is the bungalow at the rear of the site. The bungalow benefits from its own curtilage and apart from access is not dependent on Whipton Village Road in any other regard. The bungalow will retain existing privacy levels and offer an acceptable amenity standard. With regard to the amenity associated with the applicants property the site benefits from a large curtilage which could easily accommodate the proposed number of occupants.

It is acknowledged that a reduction in amenity can also result from additional comings and goings, noise, activity and loitering. In order to establish any potential harm a comparison needs to be drawn between the existing and proposed uses. In this instance a hotel with publicly accessible bar and restaurant facility will by its very nature generate a high a number of visitors. This view is consistent with a number of objectors who claim to visit the premises regularly. It is considered that the proposed use, a 16 bedroom hostel, by reason of its residential nature, will not generate the same level of activity therefore protecting the level of residential amenity currently enjoyed.

Concern has also been expressed with regard to the impact of the proposal on a local district centre and the direct loss of employment as a result of the closure of the hotel. With regard to the former, given the distance between the property and the shops towards the eastern end of Whipton Village Road and the nature of the proposed use it is difficult to quantify how a residential use will have implications on viability of established shops and other commercial premises. With regard to the latter, the applicant has confirmed the existing use benefits from twelve employees whereas the proposed use will benefit from nine employees. The net loss of three employees is not a justification to withhold consent.

The loss of an established hotel needs to be considered carefully as its loss may result in harm to the local tourist industry. Given the location of hotel, its attraction for tourists would

appear to be somewhat limited. The applicant has confirmed the number of bookings has reduced considerably since a number of national hotel chains have established themselves within the city. At the time of writing two separate applications for new hotels are under consideration by the Local Planning Authority. This would appear to suggest that the loss of the Red House will not have implications on hotel provision throughout the city.

NORTHERN AREA WORKING PARTY

Members were advised the application would be presented at planning committee on the 16/01/2011 (14/11/2011).

Members were provided an update with regard to level and type of representation received. Members were reminded the application would be presented to the Planning Committee in the New Year (12/12/2011).

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on the 20 October 2011 (*dwg. no(s). 1026/01, 1026/02 and 1026/03*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The Development shall not be occupied until the City Council has approved in writing a Management Scheme submitted by the applicant and the agreed measures have been put in place. The Management Scheme shall include the following: (a) details of any managing agent to be engaged by the applicant; (b) details of the management arrangements for the use; (c) procedures for dealing with (i) management problems, (ii) anti-social behaviour, (iii) noise, (iv) fire or security alarms sounding and (v) other emergencies; and (d) safety and security measures and controls.
Reason: To help protect the existing residential amenity standards currently enjoyed by neighbouring properties.
- 4) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in accordance with details 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.

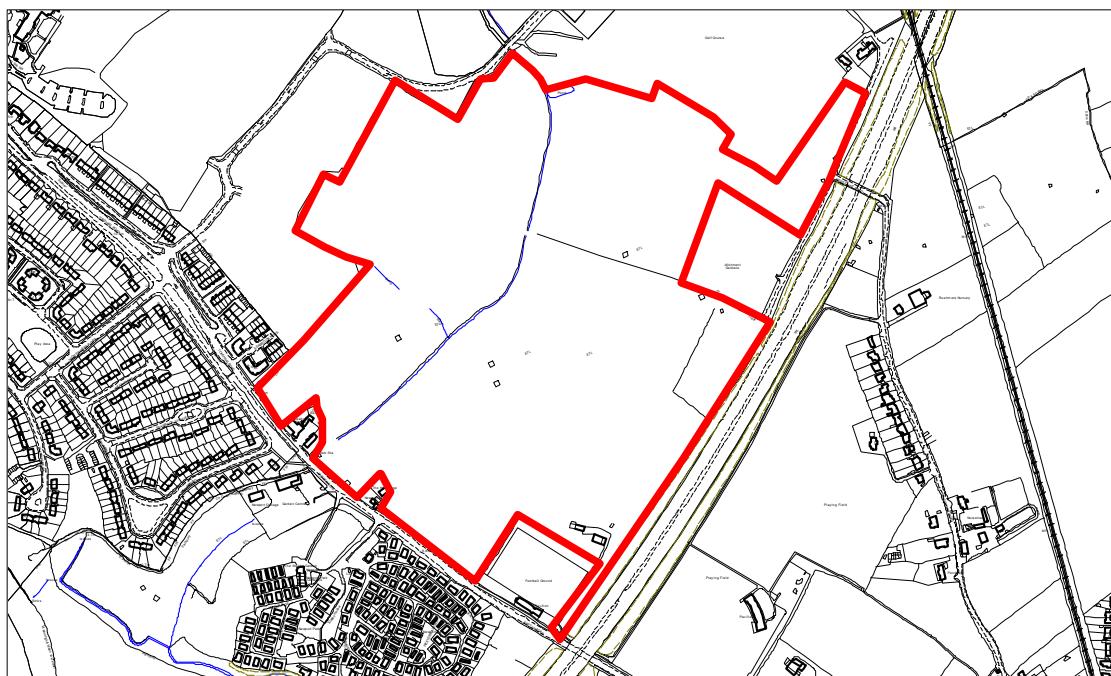
Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

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 6

<u>ITEM NO.</u>	6	<u>COMMITTEE DATE:</u>	16/01/2012
<u>APPLICATION NO:</u>	11/1291/01	OUTLINE PLANNING PERMISSION	
<u>APPLICANT:</u>	Dart Properties Ltd		
<u>PROPOSAL:</u>	Development of up to 700 dwellings and supporting infrastructure including; primary school, community building; doctors surgery and primary healthcare facilities; local store; care home/s; two access junctions on Topsham Road, roads, parking and associated works, sports fields and pavilion; informal open space; paths and cycle routes; landscaped spaces; play spaces; play areas, orchards and allotments; 3m high landform and acoustic fence at boundary with M5; surface water attenuation features; re-alignment of the Seabrook and re-profiling of channel (all matters reserved for future consideration apart from access)		
<u>LOCATION:</u>	Seabrook Orchards (formerly land to north of Topsham Town AFC ground), Topsham Road, Topsham, Exeter, EX3		
<u>REGISTRATION DATE:</u>	26/07/2011		
<u>EXPIRY DATE:</u>	15/11/2011		



Scale 1:10000

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HISTORY OF SITE

The site itself has not been subject to any significant planning applications in the recent past. However, the adjoining land (former Royal Naval Stores Depot and SEF site) has been the subject of numerous recent applications for residential development. The upper RNSD has already been developed for housing by Persimmon, and the lower site and SEF land has outline consent for residential development. The site is allocated for development as part of the Newcourt urban extension in the LDF Core Strategy and in the adopted Newcourt Masterplan (see Policy section later).

DESCRIPTION OF SITE/PROPOSAL

The application site comprises 31.44 hectares of land currently in use for agricultural purposes. The land is almost entirely devoid of buildings save for a couple of workshops/business units located in the south east corner of the site to the rear of the Topsham Town Football Ground. The site is bounded to the south by Topsham Road (and Seabrook House, The Hermitage, Newport Lodge and Topsham Town Football ground), to the west by Seabrook Mews and the former RNSD, to the north by Exeter Golf and Country Club, and to the east by the Council's Millennium Woodland and the M5 motorway (which is on an embankment along the southern part of this boundary, and in a cutting at the northern end).

The Seabrook watercourse runs through the site in a north-south direction before passing into a culvert under Topsham Road. Three high voltage overhead power lines also run across the site in a broadly north-south direction. Mature hedgerows, including a number of mature trees, separate the site from the golf course, while other sections of hedgerows line the southern and western boundaries. New planting has been undertaken in recent years particularly along the line of the Seabrook and on land alongside the M5.

The proposal comprises an outline application for up to 700 residential dwellings (final number dependant upon decisions regarding power lines) and associated supporting infrastructure to including a one form entry Primary School on a 1.3 hectare site (scope to upgrade to 2 form entry), community building, doctor's surgery and primary health care facilities, local store and two care homes. Associated infrastructure to support this includes new roads/junctions, two sports pitches and pavilion, formal and informal open space/play areas, allotments/orchards, land contouring and acoustic fence along boundary with M5, surface water attenuation features, and re-aligning and re-profiling of Seabrook.

The appearance, landscaping, layout and scale of the development are all 'reserved matters' for subsequent approval. The only detailed matter for which approval is sought at this stage are the access arrangements to the site from Topsham Road. The application proposes two new accesses into the site from Topsham Road. The primary access point is a new traffic controlled junction opposite Newport Park, which includes relocation of the existing Toucan pedestrian crossing and bus stop. The proposed secondary access is a non-traffic controlled priority junction in the south-west corner of the site next to Seabrook Mews. The position of the two new junctions from the site onto Topsham Road are to be fixed as part of the application. Other connections to adjoining land are shown in the master plan (including one onto the new spine road running through the former RNSD) but are not fixed in terms of position or design at this stage, and would be brought forward as part of subsequent detailed applications for the various phases of the development. However, the submitted Planning, Design and Access Statement includes an illustrative Master plan that identifies different potential character areas within the overall layout based upon an analysis of the physical constraints of the site/surroundings and local character appraisal. Three of the main constraints affecting the site are the presence of 3 overhead power lines crossing the site in SW/NE direction, the Seabrook running almost north-south across the site, and the presence of the M5 along the SE boundary. With the potential undergounding of one of the power lines, and incorporation of the Seabrook corridor and land adjoining the motorway within the green infrastructure/open space strategy the developable areas begin to be defined. This along with the creation of a strong central focus for the community facilities is reflected in the identification of a distinct street hierarchy and areas of varying residential character and density. The school is shown located towards the north-west boundary of the site (adjoining the Lower RNSD site) with the central square and community facilities co-located next to it. A phasing plan is also included within the Design and Access Statement suggesting that the site would be developed in phases starting along the Topsham Road frontage and progressing in a northerly direction towards the site boundary with the Golf Course and the link road running through the former Royal Naval Stores Depot (RNSD).

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The following documents have been submitted in support of the application –

- Planning, design and Access Statement
- Environmental Statement
- Environmental Statement – Non-technical summary
- Energy Statement
- Transport Assessment
- Travel plan
- Utilities capacity assessment

REPRESENTATIONS

345 representations have been received (of these 316 are a standard letter submitted by members of Exeter Golf and Country Club). These representations can be divided into 3 main categories, namely those raised on behalf of the Golf Club, those raised by consultants on behalf of adjoining land owners, and those raised by the general public.

Objections on behalf of Golf Club

- Lack of consultation with adjoining land owners (Golf Club)
- Impact on playability of golf course
 - Housing proposed in locations conflicting with playing lines
 - Conflict with 11th fairway –general public and future residents at risk from straying balls
 - Playability of 12th hole
 - 10th hole – conflict with new junction onto link road
- Contrary to Development Plan policies DG1 and CP17 in that it does not give due consideration to integration with adjoining land uses
- Any adverse impact upon Exeter Golf and Country Club reducing its attractiveness, and thereby contribution to local economy

Objections on behalf of adjoining land owners, principally relating to transportation issues

- Deliverability/level of proposed S106 contributions
- Capacity of Topsham Road/Countess Wear Road to accommodate traffic generation created by the development, and associated impact on functionality of existing public transport routes and the new signalised junction of the link road and Topsham Rd (again related to capacity)
- Importance of link road through former RNSD to relieving congestion at Countess Wear roundabout
- Timing of connection to link road between Topsham Rd and A379 (through former RNSD)
- Query regarding assumptions of submitted Transport Assessment, in particular contradiction between proposed timing of connection to link road, and reliance on an early connection to reduce overall traffic numbers, by facilitating choice of alternative travel modes
- Underestimation of impact on surrounding highway network

Representations by general public

- Limited capacity of existing train services to accommodate increase in potential patronage
- Wrong place for significant residential expansion given likely impact on congestion
- Impact of new junctions onto Topsham Rd upon cycle paths and highway safety generally
- Need for phasing/obligation on developer to ensure parallel provision of new housing and social facilities

- Preference for allotments between Millennium Woodland and Golf course rather than houses
- Provision of Travellers/Gypsy accommodation
- Impact of M5 upon development in terms of noise and pollution/health
- Health impacts of residential development in close proximity to electricity power lines
- Desirability of Combined heat and power, or an alternative environmentally friendly means of heat/power provision
- Absence of consideration given to grey water recycling
- exacerbation of existing smell nuisance from Countess Wear sewage works
- Impact of re profiling Seabrook upon wildlife
- loss of agricultural land
- Premature in context of other uncompleted residential developments in the area
- Proposed density and lack of recreational open space
- Impact of construction works upon amenity of existing nearby residents
- type and tenure of properties proposed
- Impact of relocation of bus stop and pelican crossing on highway safety and bus patronage
- Further erosion of 'green belt' between Topsham and Exeter
- Increased parking pressure within Topsham itself
- Impact of development upon residents of Seabrook House Care Home and its current attractiveness/character as a semi-rural facility
- Impact on property values in locality
- increased flooding potential
- likely scale/massing of proposed care homes in relation to existing properties in terms of overlooking and overshadowing
- Potential for development to relieve pressure for further development of 'green wedge' between M5 and Topsham

CONSULTATIONS

Highways Agency (HA) – Initially the HA imposed an Article 25 direction (TR110) directing the Local Planning Authority not to approve the application for 6 months (unless lifted earlier by the Agency upon production of additional work requested).

Following the submission of additional information as requested the Highways Agency now accept the submitted traffic generation figures, and the potential impact of the development upon the Strategic Road Network (SRN) in the light of the City and County Council's Infrastructure Delivery Plan, and ability of the County Council as Highway Authority to control the flow of traffic entering the M5 Junction 30 roundabout from the A379 arm through existing traffic signals. A direction requiring the following condition to be attached to any approval has now been received -

"A comprehensive Travel Plan will be developed for all elements of the development hereby permitted. The acceptability of the travel plan will need to be agreed in writing by the Local Planning Authority and Local Highway Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport), in advance of occupation of the development.

The Travel Plan will need to be prepared in line with prevailing policy and best practice and shall include as a minimum:

- The identification of targets for trip reduction and modal shift
- The methods to be employed to meet these targets
- The mechanisms for monitoring and review
- The mechanisms for reporting
- The penalties to be applied in the event that targets are not met
- The mechanisms for mitigation

- Implementation of the travel plan to an agreed time scale or timetable and its operation thereafter
- Mechanisms to secure variation to the Travel Plan following monitoring and reviews. A review of the targets shall be undertaken within 3 months of occupation of the development, and on an annual basis thereafter, at the time of submission of the Annual Travel Plan Report."

County Director Environment Economy and Culture - I

Following consideration of the Transport Assessment submitted in support of the planning application, the Highway Authority had originally recommended refusal of the application (dated 15th November 2011). This recommendation was made as a result of lack of clarity at that time regarding the impact of the timing of delivery of the proposed connection of the internal road network within the site to the Royal Naval Stores spine road and more time was needed to properly assess both that and the proposed Residential Travel Plan initiatives. The County Director states;

"The original Transport Assessment provided by the applicant's traffic consultant was based upon a total of 790 dwellings being built on the application site and this was subsequently reduced to 700, although this could ultimately be varied again to some extent by the limitations that may occur as a result of existing overhead HT power lines within the site. The applicant then submitted an Addendum to the TA based upon the 700 dwellings figure.

The relative late delivery of the connection, which had been discussed at meetings between the Highway Authority, your Council and the applicant, is related to the deliverability of the site for residential development and, at those meetings, that issue was explained and discussed in some detail. It was subsequently agreed that the applicant need not make the connection until occupation of the 650th dwelling in recognition of maximising the potential for the scheme to be delivered early.

The application contains a significant and substantial commitment to the promotion of sustainable transport initiatives and usage and this is a core element of the applicant's case that the transport elements of their application be accepted. As a result of the submitted information it is clear that the traffic generation figures are challenging but not unachievable and, if we are to make progress in any significant reduction in reliance on the private car for travel, then such initiatives need to be encouraged and supported.

As stated, the Transport Assessment is based upon the scenario that the connection to the spine road from Topsham Road to the A379 is not made, in order to test the worst case scenario and it does indicate that the development can operate in such a case, subject to the very substantial Residential Travel Plan provisions being approved and implemented. The Highways Agency, in their response, have set out the parameters for the Travel Plan provisions in some detail and the County Council supports the Highways Agency case and would recommend that those be implemented and adopted as the measures are fundamental to acceptance of the Transport Assessment conclusions, both for the Agency and the County Council.

In making a judgement on the most effective means of discouraging private car journeys consideration was given to whether the developer should contribute substantially to potential improvements to the Countess Wear roundabout and Bridge Road improvements or whether contributions should be sought to improve and encourage sustainable travel. The judgement was that the long planned Newcourt railway halt could be a major element in promoting and encouraging sustainable travel in respect of this proposal and in providing a long desired sustainable transport facility for the existing and future

Newcourt development area. In negotiations, along with significant contributions to Residential Travel Plan measures and other non-car transport initiatives, the applicant has agreed to make a major financial contribution to the proposed railway halt (£1,715,000).

A third party has raised the issue what he considers to be the unacceptable impact of traffic generation from the site on the local road network as a direct consequence of the later delivery of the connection of the internal roads within the application site to the Topsham Road/A379 spine road or, indeed, the non-delivery of same. Full account has been taken of the objector's case and, as previously stated, the Transport Assessment provided in support of the application has been based upon the worse case scenario of the connection not being in existence. Balanced against the proposed sustainable transport initiatives and contributions, and the deliverability issues of the site for substantial additional housing provision in the city, it is considered an objection on highway grounds could not reasonably be pursued or substantiated.

In conclusion, having taken all relevant factors into consideration the County Council now raises no objection to the application subject to a package of Section 106 contributions relating to transportation and certain conditions.

Environment Agency – Comment as follows – “The submitted Flood Risk Assessment dated February 2011 is acceptable to this Agency and providing development proceeds in accordance with this document there are no objections to the proposal.” Additional comments are made in respect of the Seabrook corridor with regard to its detailed design and function.

DEFRA – None received.

Natural England – Comments on the proposal from the perspective of impact of the scheme on European protected sites, and ecological impact on site itself. Concludes as follows –

“Natural England objects to this application in its current form as it is likely to have a significant effect on the Exe Estuary SPA and Dawlish Warren SAC in combination with other residential development in the wider Exeter Area. Exeter City Council should not grant approval until such time as adequate mitigation for the predicted impacts has been agreed with the applicant.

In addition we recommend conditions should be attached to any permission granted relating to:

- Resurvey of the site for badger setts and co-ordination with surrounding developers to ensure that the welfare of the social group which uses the application area for foraging is not compromised by the scale and timing of this and surrounding developments.
- Survey of all trees identified as having potential to support bat roosts
- Submission of a lighting plan which avoids impacts on bat feeding corridors.

Western Power Distribution – Comment – “negotiations are continuing between Dart Properties and WPD (Western Power Distribution) to determine the apportionment of the cost of placing underground the most northerly of the 132Kv lines, as is envisaged in the current planning application. Such discussions must reflect WPD's statutory duty to develop and maintain an efficient and economical system of electrical distribution; accordingly it will resist any proposed condition that places on it a financial obligation to place power lines underground. However, it will continue in dialogue with Dart Properties to determine the appropriate level of compensation that would be payable by WPD if the powerlines were to be retained in their existing positions. Subject to final technical design and routing, WPD is in principle, not opposed to the diversion or placing underground of the most northerly 132Kv overhead lines on the site if the associated costs (that would ensure that WPD could meet its Statutory and Regulatory obligations) of any works are met and any required permissions,

planning and other consents obtained. Subject to this and completion of satisfactory negotiations, WPD would be willing to withdraw its objection to the planning application.”

Stagecoach Devon Ltd - None received.

Devon County Council Social Services – None received

RSPB – Comment on the potential impact of the scheme upon Designated Wildlife sites (Exe Estuary Special Protection Area (SPA), East Devon Heaths SPA, East Devon Pebbledbed Heaths SPA and Dawlish Warren SAC, collectively known as Natura 2000 sites), and the need to secure appropriate mitigation. Comments are also made on the Green Infrastructure elements of the proposal, possible impact on Cirl Buntings and general urban biodiversity enhancements. The summary of the RSPB's comment is as follows –

“In summary, whilst we welcome aspects of the proposal, we have concerns regarding the potential impacts of the development on the nearby designated wildlife sites and consider that further biodiversity enhancements could be included in the design, particularly to benefit the Seabrook corridor and cirl buntings.”

Devon Wildlife Trust – Comment on the potential impact of the scheme from a biodiversity perspective. Welcome proposal to design two green corridors through the site but stress that for the approach to be successful the design of these corridors will need to give equal weight to biodiversity issues and the recreational, flood protection, and pedestrian/cycle movement functions of these spaces. Desirable design features to be incorporated in the detailed design are highlighted.

Architectural Liaison Officer (Devon and Cornwall Constabulary) – Comment that it is disappointing that the Design and Access Statement makes no reference to designing out crime. Noting that the application is for outline consent highlight some of the key issues which should be considered when designing out crime as permeability, landscaping, car parking, communal areas, dwelling boundaries, layout, building design, and express desire to be consulted on future applications over detailed design.

Devon Primary Care Trust – None received although at the pre-application stage the Trust confirmed in writing that it supported the principle of a healthcare facility within the community hub because of its locational advantages and synergy with the proposed school and the other facilities being provided.

Devon and Somerset Fire Service – None received

Head of Environmental Health – Seeks clarification over a number of points relating to Air Quality and Noise Impact Assessment associated with the development, and highlights that further work will be required with regard to Land Contamination and lighting relating to the proposed sports pitches and MUGA. Subject to satisfactory clarification of the above recommends that conditions are attached to any approval relating to the following – construction hours, a Construction Environmental Management Plan (CEMP), noise mitigation measures, land contamination and foul sewage disposal.

South West Water – Advise that the public foul sewer network is not capable of supporting this development without improvement and therefore the application cannot be fully supported. Request condition is attached to any consent requiring the applicant to fund an evaluation of the sewer network to establish the level and cost of improvements necessary. They also advise that once the evaluation has been completed they will require full payment of the cost of the improvements to be paid by the applicant/developer prior to any development commencing.

Living Options – Comment as follows – “It is hoped that access needs of disabled people will be kept in mind throughout the whole development including access to external areas – paths, cycle routes, play spaces, allotments etc.”

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

PPG13 - Transport

PPS1 - Delivering Sustainable Development

PPS3 - Housing

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

ST4 - Infrastructure Provision

ST10 - Exeter Principle Urban Area

ST17 - Housing and Employment Provision

ST18 - Affordable Housing

ST18a - Mix and Type of Housing

CO6 - Quality of New Development

CO10 - Protection of Nature Conservation Sites and Species

CO11 - Conserving Energy Resources

CO13 - Protecting Water Resources and Flood Defence

CO14 - Conserving Agricultural Land

CO16 - Noise Pollution

TR1 - Devon Travel Strategy

TR2 - Coordination of Land Use/Travel Planning

TR5 - Hierarchy of Modes and Transport Assessment

TR7 - Walking and Cycling

TR9 - Public Transport

TR10 - Strategic Road Network and Roadside Service Areas

TO6 - Long distance Recreational Footpaths and Cycle Routes

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development

AP2 - Sequential Approach

H1 - Search Sequence

H2 - Location Priorities

H6 - Affordable Housing

H7 - Housing for Disabled People

L4 - Provision of Playing Pitches

CS2 - Community Health Services

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T10 - Car Parking Standards

C5 - Archaeology

LS1 - Landscape Setting

LS2 - RAMSAR/Special Protection Area/Special Area of Conservation

LS3 - Sites of Special Scientific Interest

LS4 - Local Nature Conservation Designation/RIGS

EN3 - Air and Water Quality

EN4 - Flood Risk

EN5 - Noise

DG1 - Objectives of Urban Design

DG2 - Energy Conservation

DG4 - Residential Layout and Amenity

DG5 - Provision of Open Space and Children's Play Areas

DG6 - Vehicle Circulation and Car Parking in Residential Development

Draft Exeter City Council Core Strategy
CP1 - Spatial Strategy
CP3 - Housing
CP4 - Density
CP5 - Meeting Housing Needs
CP7 - Affordable Housing
CP8 - Retail
CP10 - Meeting Community Needs
CP11 - Pollution
CP12 - Flood Risk
CP14 - Renewable and Low Carbon Energy
CP15 - Sustainable Construction
CP16 - Green Infrastructure
CP17 - Design and Local Distinctiveness
CP18 - Infrastructure
CP19 - Strategic Allocations

Exeter City Council Supplementary Planning Documents

Affordable Housing (August 2010)
Public Open Space (September 2005)
Planning Obligations (November 2009)
Residential Design Guide (adopted September 2010)
Newcourt Masterplan

OBSERVATIONS

Policy guidance on development opportunities in the Newcourt Area, beyond the sites allocated in the Exeter Local Plan First Review 1995-2011 (which includes a small part of the current application site), has been brought forward through the Newcourt Masterplan and the Council's emerging Core Strategy. Although only a small part of the site is allocated for residential development in the Adopted Local Plan the entire application site is included within the Newcourt Strategic Allocation boundary. In advance of the Core Strategy being adopted the current proposal represents a departure from the Adopted Development Plan (Exeter Local Plan First Review 1995-2011) and has been advertised accordingly.

However, given the inclusion of the application site within the Newcourt Strategic Allocation boundary, the principle of residential development of this land is supported by the Local Planning Authority, and the development of this land is seen as one of the critical elements in meeting the Council's plan for new housing delivery over the next 5 years.

Within this context it is necessary to first assess the **impact** of the proposed development, and then to examine whether sufficient **infrastructure** is provided to support the new housing and ensure that its potential impact is satisfactorily ameliorated. Alongside this it needs to be considered how the proposed scheme addresses one of the Council's key corporate priorities - the delivery of **affordable housing**, and whether the **design** approach is likely to achieve the vision of a sustainable community as identified in the applicant's Design and Access Statement and consistent with the requirements of PPS3 (Housing).

Impact

In assessing the impact of this proposal it has to be acknowledged that it will result in a significant change in the character of the area. At present the site has a very open nature by virtue of its status as greenfield agricultural land bisected by the Seabrook watercourse which runs in a north-south direction across the site. The 3 high voltage electricity power lines that cross the site also form a prominent visual feature. This will fundamentally change with the replacement of these open fields with a built development comprising residential

dwellings, associated open space, school and a neighbourhood centre. The proposal will effectively extend the urban environment of Exeter out to the boundary with the M5 as part of the wider Newcourt urban extension identified as a Strategic Allocation in the Council's Core Strategy.

The assessment of the impact of the scheme can be split into 6 main areas as follows -

- Environmental Impact Assessment (EIA)
- Appropriate Assessment
- Transportation
- Landscape/visual impact
- Air Quality/Noise
- Relationship to surrounding properties

Environmental Impact Assessment (EIA)

Environmental Impact Assessment is a process that aims to improve the environmental design of a development proposal and provide decision-makers with sufficient information about the environmental effects of implementing a project. This process is then reported in an Environmental Statement (ES) which is submitted to support a planning application and sets out predicted impacts and measures proposed to ameliorate any adverse effects. Areas of impact covered in the ES include Community effects (socio-economic), Education, Transport, Air Quality, Noise, Flood Risk and Surface Water Management, Landscape, Ecology, Ground Condition, and Archaeology.

The ES concludes that the development would not have any significant adverse impacts across the range of issues identified above that are not either mitigated directly by provision as part of the development, or that cannot be mitigated through design, conditions attached to any approval, or through an appropriate Section 106 agreement. The merits of the scheme judged against many of the areas identified above will be addressed in more detail in later sections of this report. However, a brief summary of the conclusions of the ES with regard to the impact in each area from the perspective of the Environmental Impact Assessment is set out below:-

Community effects/education

Based on an average of 2.4 people/household and 700 dwellings this development would generate 1,680 people and this would inevitably increase demand upon local facilities such as open space, schools, health care and other community facilities. The construction of the development would also have some short-term impact on the locality. The scheme incorporates open space provision, playing pitches, health care facilities, a community facility and land for a new primary school, all of which would be secured through conditions and/or Section 106 agreement. Likewise the direct impact of the construction process can be minimised through conditions. Through these mechanisms the impact of the scheme upon the community can be ameliorated. In a positive respect implementation of this development will result in indirect benefits to the local economy in terms of employment opportunities and associated local expenditure. The range of education and community facilities proposed in the application will also serve the residential developments on the upper and lower RNSD residential schemes acting as a community focus and benefitting the wider Newcourt development area.

Transport

Based on predicted traffic generation figures, proposed mitigation measures, and the location of the site relative to sustainable travel opportunities, the ES concludes that the impact of the development upon the highway network will be negligible. Mitigation measures (including financial contributions towards the rail halt at Newcourt and bus priority measures on

Topsham Road), and design features will encourage the use of sustainable transport by residents of the development. A Construction and Environmental Management Plan will include details of construction traffic routes, hours of operations and management procedures to ameliorate direct impacts of the construction process.

Air Quality/Noise

The ES concludes that in terms of both Air Quality and Noise the impact of the proposal will not be significant and can be ameliorated/mitigated through the detailed design process and appropriate conditions covering working practices and construction specifications.

Flood Risk and Surface Water Management

The ES concludes that the impact of the development will be acceptable in this respect as the rate of surface water run-off from the development will be controlled through a surface water management strategy with water being returned to the environment via a range of sustainable drainage features including soakaways, swales, permeable paving and an extensive infiltration layer under the proposed pitches. Attenuation basins will also allow control over discharges to the Seabrook during severe rainfall events.

Landscape

The ES concludes that "with appropriate design and mitigation, including further refinement of the urban design detail, architectural and landscape proposals and incorporating ecological mitigation measures, it is considered that the development could be integrated into the city without being intrusive in views, and without significant adverse landscape effects."

Ecology/Biodiversity

The specific issue of the impact of the development upon Natura 2000 sites that are protected by European legislation will be dealt with in a separate section later in the report and the following conclusion in the ES regarding the ecological impact of the scheme needs to be considered in this context. The impact on a variety of flora and fauna found on the site has been analysed, and appropriate mitigation measures identified. In terms of the Ecological/biodiversity impact of the scheme the ES concludes -

"The proposal would lead to the loss of farmland habitat of limited value to wildlife. Overall, the development once built should have a beneficial effect on wildlife. It is necessary to realign the Seabrook as part of the development proposal but this should lead to the creation of a wetland habitat of greater value to wildlife than the existing watercourse. It is also proposed to create new ponds as part of the drainage scheme. All of the veteran trees and the hedgerows comprising native species will be retained. These hedgerows will be re-enforced with new planting to create habitats of value to wildlife. It is necessary to remove conifer hedgerows and a small number of conifer trees, but new tree, shrub and hedgerow planting will compensate for the habitat lost. Other habitats of benefit to wildlife that would be created as part of the landscaping proposals include orchards, allotments and areas of grassland habitat. Overall, the proposed development would have a beneficial effect on wildlife as the newly created habitats mature and are managed to benefit wildlife. The proposals would not have any effect on designated sites of nature conservation importance."

Ground Conditions

Given the existing agricultural use of the land the potential for land contamination is considered minimal. Further investigation and any resultant mitigation considered necessary can be dealt with by conditions attached to any approval.

Archaeology

The ES concludes that the potential archaeological impact of the scheme is insignificant and can dealt with/mitigated by appropriate conditions attached to any approval.

Whilst the conclusions of the submitted ES in respect of the impact of the proposal upon the Natura 2000 sites, and thereby the appropriate mitigation measures are disputed, the remainder of the conclusions in the ES are considered reasonable. It is considered that some further work to address the potential impact upon specific species, e.g. badgers and bats (as advised by Natural England) will be required but this, along with the detailed design of the Seabrook corridor, could be covered by appropriate conditions attached to any approval.

Appropriate Assessment

Under European legislation certain sites have been identified as being of Community importance or special protection areas via the Habitats Directive 92/43/EEC and the Birds Directive 79/409/EEC respectively. These sites are collectively known as Natura 2000 sites. Article 6 of the Habitats Directive requires development projects to be assessed in terms of their impact, in isolation or combination with other projects, upon the Natura 2000 sites, and this process in known as Appropriate Assessment.

The City Council is the 'competent authority' in terms of determining the need for an Appropriate Assessment in relation to this scheme. In development of its Core Strategy the Council also commissioned a Habitats Regulations Assessment (HRA) which concluded that all additional development within the City could result in potentially significant negative effects on the Exe Estuary SPA and other Natura 2000 sites unless appropriately mitigated.

The main impact on these areas arising from new residential development relates to increased recreational use of the sites by the new occupants of the development. In respect of this development the main activities likely to have an impact upon the designated sites are walking (especially of dogs) and water based leisure activities.

Natural England were consulted on the Authority's Appropriate Assessment Screening Opinion which concluded that, subject to appropriate conditions and Section 106 provisions the proposal would not require Appropriate Assessment. Natural England advised that the provision of open space within the site alone, notwithstanding its size and nature, did not constitute appropriate mitigation, and that in the absence of an appropriate financial contribution towards further mitigation measures Appropriate Assessment would be required.

On the basis of this advice further negotiations have been undertaken with the applicant over an appropriate package of mitigation measures. Negotiations are on-going but so far measures identified that could form part of a mitigation package are as follows:-

- Provision of SANG (Suitable Alternative Natural Greenspace) on site
- Provision of SANG off site
- Financial contribution to wider mitigation measures, and
- Funding of further studies into the impact of additional development upon the Exe Estuary SPA.

The outcome of the on-going negotiations between the Authority and the applicant, and associated consultation with Natural England in relation to this issue, will be reported at Committee.

Transportation

The transportation issues in respect of this proposal can be broken down into 2 main categories. Firstly, there are the wider implications for the existing highway network that will arise from additional traffic generation associated with a development of this scale comprising new dwellings, care homes, community facilities, and a school. The main impact

in this respect is upon Topsham Road, the Rydon Lane/Bridge Road corridor (including Countess Wear roundabout), the link road through the RNSD, the A379 and Junction 30. The second category relates to more detailed aspects such as the road layout within the development, parking provision and pedestrian/cycle arrangements.

The major implications of this development relate to impact upon Topsham Road itself, the Rydon Lane/Bridge Rd corridor (including Countess Wear roundabout), the A379 and Junction 30. The submitted Transport Assessment (TA) identifies a link from the application site onto the Newcourt link road as desirable in terms of providing good linkages and permeability but concludes that the connection is unnecessary in terms of capacity and provision of alternative routes. The impact has therefore been assessed on the premise that the development is served by the 2 proposed junctions onto Topsham Road, with a connection to the link road coming forward at a later date. In concluding that the development would not have an unacceptable impact on the functioning/capacity of the highway network the TA has relied on a range of sustainable transport measures put forward as part of the scheme (Travel Plan) to significantly reduce the anticipated traffic generation associated with the development.

The potential impact of this development upon the highway network has been one of the factors raised in objections to the proposal, including a detailed critique by Transport Consultants on behalf of the developers of the adjoining land (former RNSD and SEF land) that has consent for residential development and through which the link road passes. As well as questioning the assumptions on which the submitted TA is based, and hence its conclusions regarding the potential impact of the development, this stresses the importance of an early connection from the development direct to the link in permeability and sustainability terms. In general terms it highlights the strength of previous concerns with regard to the capacity of Topsham Rd and Countess Wear roundabout, evidenced by the limit placed on the number of houses that could be served on the Upper RNSD site prior to the opening of the new link road. The capacity of Countess Wear roundabout to accommodate the additional traffic generated, and the potential for additional queuing along Topsham Road to affect the ability to turn right off Topsham Road and onto the new link road is also raised.

The HA initially expressed concern about the submitted TA in terms of its assumptions, and hence conclusion on the potential impact of the scheme upon the SRN, with particular focus upon the impact upon Junction 30. Consequently, pending the submission of further information to address their concerns the HA directed that the application should not be approved (direction valid for 6 months). Subsequently, further information was submitted to the HA by the applicant's highway consultant clarifying that the approach taken to the TA was consistent with the guidance on Transport Assessments 2007, and providing further information in response to the HA's concerns. The HA have since confirmed that, whilst they still have some concerns regarding the assumed reductions in traffic generation associated with the development (based upon implementation of sustainable transport measures/contributions set out in the Travel Plan), having considered the total impact of the development on the SRN, they accept the proposed traffic generation figures and have replaced their direction of non-approval with one requiring a condition to be imposed regarding a comprehensive Travel Plan.

The County Highway Authority have considered very carefully the impact of the development on the local highway network and in particular the flows along Topsham Road pending the connection to the link road. They are mindful however of the applicant's significant and substantial commitment to public transport initiatives and consider that the applicant's assertions on trip generation, though challenging, are achievable and that subject to a suite of Section 106 commitments including a £1,715,000 contribution to the new rail halt and a further contribution of £735,000 towards other public transport infrastructure the impact of the development is acceptable.

The two new junctions onto Topsham Road are considered acceptable in principle in terms of their position and capacity. Some concern has been expressed regarding the position of the pedestrian/cycle 'Toucan' crossing of Topsham Road in terms of impact on the National Cycle Network Route 2 which runs along Topsham Road. However it is considered that this could be ameliorated by placing the 'toucan' crossing point on the Topsham side of the new junction and this has been raised with the applicant. It is proposed that the detailed design of both the new junctions is conditioned for subsequent approval prior to commencement of the development.

Landscape/visual impact

The proposal will inevitably have an impact in landscape and visual terms as it will result in a permanent change in the character of this site from its current status as open agricultural land with surrounding vegetation to one of built/urban development punctuated by green corridors and ancillary open spaces. Locally this does represent a significant change. However, given the inclusion of this land with the Newcourt Strategic development allocation, this change has already been accepted in principle.

The landscape/visual impact of the development falls to be assessed in 2 main respects, firstly in terms of impact on the more immediate vicinity and secondly, from the perspective of wider views towards the site from more distant locations. As part of a landscape and visual assessment of their scheme the impact from immediately surrounding land/dwellings, as well as from much wider vantage-points, such as the motorway and Exminster have been considered.

The significance of the changes associated with the proposal upon immediately adjoining land uses, including existing residential properties is acknowledged. However, in the context of the inevitable changes arising from development of land within the Newcourt strategic allocation area it is considered that the impact upon the immediate surroundings is acceptable. Retention of the main perimeter landscape features, along with careful consideration of the detailed design/layout of the site and further supplemental landscaping as part of the proposal will mitigate the inevitable change in character of the area and ensure the visual impact in relation to the immediate environment is acceptable.

In terms of impact from wider vantage-points it is considered that through sensitive design, including the overall landscape strategy, the wider visual impact can be ameliorated and the development satisfactorily integrated into the city without being intrusive in views, and without significant adverse landscape effects.

Air Quality/Noise

In terms of potential air quality impacts the main factors are considered to be dust during the construction phase, and vehicle associated pollution. The ES states that although properties in the locality may experience short-term dust annoyance mitigation measures could be included within a Construction and Environmental Management Plan to minimise airborne dust generated during the build process. With regard to vehicle associated pollutants the ES concludes that any increases are likely to be imperceptible or small. Importantly for existing receptors, and those associated with the new development, concentrations of the key pollutants associated with vehicle emissions are predicted to remain well below the air quality objectives set by the Government.

In terms of noise impacts the key areas are construction noise and impact of external noise sources e.g. the motorway, upon future occupants of the development. Construction noise impact on the locality can be minimised through appropriate conditions, and a combination of physical noise attenuation features in the form of a 3 metre high mound, acoustic fencing and build specifications (such as glazing standards) will ensure that the development meets appropriate standards for occupation.

Relationship to surrounding properties

The site is bounded to the north by the Golf Course, to the east by the Motorway, to the south by Topsham Road, and to the west by other land with consent for residential development. There are relatively few residential properties directly bordering the site. In the north-east corner of the site there are 3 properties (off Newport Road), Seabrook Mews is located adjoining the south-west corner, and the site wraps around the Seabrook House complex, Newport Lodge, The Hermitage and Topsham Town FC along the Topsham Road frontage. There has been concern expressed regarding the impact of housing adjoining the Golf Course boundary in terms of the impact upon the playability of the course and safety of future occupants. It is possible to mitigate this concern through a combination of measures including housing positions, boundary treatments, and works within the course itself.

Discussions between the applicant and the Golf Course are on-going and it is believed that agreement has been reached in principle on a scheme to mitigate potential conflict between the housing and the golf course. It is appropriate to address the issue by way of a condition requiring an approved scheme of works to be carried out prior to the occupation of dwellings adjoining this boundary.

Whilst the development of this site will represent a significant change in the character of the land surrounding the properties referred to above, and their outlook, it is considered that there is no fundamental reason why an acceptable relationship between the existing buildings and the new development would not be achievable with careful siting and appropriate boundary treatments between the two. Seabrook House and Newport Lodge are both locally listed buildings but it is not considered that the development of the land around them would have any significant adverse impact upon them or their setting. The detailed relationship in terms of building positions, height and inter visibility will be further considered at the detailed design stage. There will inevitably be additional traffic movements within the vicinity of these new properties associated with the two new junctions and the additional development. However development of this land is required to meet the additional housing demand facing the City and the impact on these properties is not considered to be significant.

Infrastructure

It is vital that essential infrastructure is provided as part of major development proposals. In respect of this application the main relevant areas of required infrastructure provision are identified and appraised below.

Green Infrastructure

The Newcourt Masterplan identifies the need for a framework of green infrastructure to be provided across the masterplan area to connect new green spaces with existing ones and enhance existing wildlife habitats. The Seabrook corridor crossing the application site has been identified as a key habitat corridor and is designated as a site Site of Local Interest for Nature Conservation (SLINC).

The submitted Planning, Design and Access Statement sets out a clear strategy for the provision of green infrastructure on the site to take advantage of its connections with adjoining land and its potential function linking strategic wildlife areas such as the River Exe, Ludwell Valley Park and to the River Clyst further to the east. The two main elements of green infrastructure advocated as part of the proposal are the Seabrook corridor (to be re-profiled, partially re-aligned and enhanced as a wildlife corridor and linear habitat) and an additional green corridor under the route of the existing electricity pylons linking Topsham Road and the Millennium Woodland. These two elements would incorporate flood risk management requirements, surface water balancing features and provide a range of opportunities in respect of wildlife/ecology enhancement, and both formal and informal recreation opportunities.

POS/Recreation

To some extent the required infrastructure in terms of public open space (POS) and recreation opportunities associated with the residential development of this site will be intrinsically linked with the main green infrastructure features. Local Plan policies require the provision of POS on the basis of 10% of the site area, to include equipped play areas, and separate provision of formal recreation areas in the form of youth and adult play space directly related to, and necessary for, the specific development proposed. In respect of the latter the required level of provision will take into account the general level of provision on a City wide basis.

The illustrative masterplan and Design and Access Statement refer to the provision of two equipped children's play areas within the green corridor running under the electricity pylons, one near the boundary with the Millennium Wood and a second more centrally on part of this corridor that is contiguous with the re-aligned Seabrook corridor. Whilst the application is an outline one, and hence final distribution and uses within the POS open to variation, it is anticipated that the nature of the open space will vary. It will accommodate surface water balancing features but could also include more formal areas such as allotments, planted woodland and informal space for more general recreation and walking. Other areas include strategic landscaping along the eastern boundary adjacent to the motorway and a further balancing pond and associated open space in the south-west corner adjoining Seabrook Mews. It is considered that provision of open space as suggested would exceed the minimum required provision.

In terms of youth/adult play space the two components are a MUGA that would be within the school site, but available to the community outside of school hours, and two playing pitches with associated pavilion/changing facilities. Taking into account existing city wide provision of playing pitches the level of provision is considered acceptable notwithstanding that it is marginally below the policy standard.

Public and Sustainable Transport

The highway impact of this development will be moderated by both direct and indirect measures that facilitate and promote/encourage the use of sustainable transport as opposed to the private car. Consequently public and sustainable transport infrastructure forms an important component of the development. Aside from the new physical infrastructure comprising 2 new junctions onto Topsham Road, and two connections to adjoining development land/the RNSD link road, the proposal incorporates the following provisions in relation to public and sustainable transport infrastructure -

- Financial contribution to Newcourt rail halt
- Financial contribution to further bus priority measures along Topsham Road
- Provision of a community bus on occupation of 100th dwelling (funded for 5 years)
- Car club (on occupation of 100th dwelling)
- Network of footpath/cycleways within site
- Potential diversion of T bus route into site (subject to discussions with bus operator)
- Travel Plan (to promote and encourage sustainable transport choices)

Education

A significant new residential development will inevitably generate additional demand for school places within the locality. This outline application also seeks consent for a new Primary School in recognition of the fact that existing Primary schools in the area are operating in excess of their capacity and therefore further provision is required. Consequently the submitted masterplan incorporates a site for the development of a 1 form entry primary school. The site is also sufficient to enable expansion to a 2 form entry school in recognition of the wider demands arising from development with the Newcourt Strategic Allocation area,

and future Education Authority decisions regarding the appropriate location for this provision. Financial contributions would also be secured via a Section 106 agreement in relation to the provision of both primary and secondary education.

Community Facilities/Health

In terms of community infrastructure associated with the proposal consent is also sought for a community building, doctors surgery/primary health care facility and a local store. Provision of these facilities would meet some of the immediate social needs of occupants of the development, and the wider community. Delivery would be by direct provision on site, although in respect of the doctors surgery/primary health care facility an alternative would be by way of financial contribution towards extension of an existing facility within 1500 metres of the site boundary if off site provision is preferred by the Primary Care Trust.

Utilities (including drainage/waste)

It is important when considering major development proposals to ensure that the proposal would not have any significant adverse impact upon the existing utilities, and that adequate provision is made to serve the development. The application is accompanied by a Utilities Capacity Assessment. The main elements of essential infrastructure considered include electricity, gas, water (both in terms of potable (drinkable) water supply to the new dwellings and foul drainage disposal) and telecommunications. The assessment identifies that all these utilities/services are either already present within the site, or within the public highway immediately adjacent to the site and therefore capable of being extended/diverted to serve the proposed development.

In terms of electricity, as well as the capability of Western Power Distribution (WPD) to serve the site, the proposal impacts upon this utility provider due to the proposal to divert and underground one of the existing high voltage power lines to reduce the physical constraints on site and allow its development potential to be maximised. The cost of these works is a matter for resolution between WPD and the applicant. In terms of providing electricity supply to the site WPD have indicated that the development would trigger a need for some off-site reinforcement works.

With regard to gas supply there is no problem in principle with serving the site but again some network reinforcement works may be required.

There is no obstacle in principle to the provision of telecommunications infrastructure to serve the development.

The submitted Utilities Capacity Assessment states that it is possible to provide a potable water supply (drinking water) to serve the site. With regard to foul drainage capacity South West Water (SWW) have advised that the public foul sewer network is not capable of supporting this development without improvement works. There is no suggestion that the network cannot be improved to accommodate the development but liability for the costs associated with an appraisal of the required works, and their subsequent financing is a matter for further negotiation between the developer and SWW.

The proposed surface water attenuation ponds within the green corridors will form an important element of the overall approach to surface water drainage associated with the development of this site.

Affordable Housing

The provision of affordable housing is one of the Council's key priorities, and the level of provision sought as part of development proposals is informed by adopted Local Plan policy (H6), and the emerging Core Strategy policy (CP7). Pursuant to Policy H6 affordable has been sought at a rate of 25% of the overall number of dwellings to be provided on a site. Under Policy CP7 of the emerging Core Strategy this rate will increase to 35%.

During negotiations regarding the provision of affordable housing associated with this development the impact of this upon the deliverability of the scheme has been highlighted as a significant issue by the applicant. The initial offer was significantly below current policy at 15% affordable housing subject to viability assessment. However extensive negotiations have resulted in a revised offer that overall meets the current policy requirement of 25% affordable housing across the site. However, in recognition of the deliverability issue it has been agreed to split the overall development into two equal phases of 350 dwellings with 20% affordable housing being provided in the first phase (i.e 70 units) and 30% in the second phase (i.e 105 units). This approach slightly reduces the cost to the developer in the early phases when other infrastructure costs are also significant but ensures that ultimately as the site is developed out provision 'catches up' and the full 25% affordable housing requirement is met. The mix between social rent and shared ownership has also been varied slightly from the current position of an 85/15 percent split to a 75/25 percent split. The effect of this is that within the first half of the development the affordable housing will comprise 53 social rented units and 17 for shared ownership. In the second half, of the 105 affordable units in that phase, 79 will be for social rent and 26 for shared ownership.

Given the nature of the scheme, and the desire to secure its early delivery this offer is considered acceptable by the Council's Head of Housing. Delivery of affordable housing in line with these provisions will be secured via the proposed section 106 agreement.

Design

Although this is an outline application, with all matters other than the two access points onto Topsham Road reserved for subsequent approval, design analysis still forms an important element of the consideration of the merits of this application. In terms of demonstrating that the quantum of development sought is reasonable a certain level of consideration to potential form, layout and scale of the development is required. The submitted Planning, Design and Access Statement demonstrates how the scheme has evolved, and through the indicative master plan and identification of different character areas that might be brought forward in subsequent 'reserved matter' applications, how the site can deliver the quantum of development proposed.

Masterplan

The Masterplan has been developed following a thorough analysis of the site's context, its opportunities/constraints, and the desire to create a sustainable development with appropriate infrastructure that will have a distinct character and become an attractive place in which to live. Notable constraints affecting the site include the routes of overhead electricity lines across the site, road noise from the M5, existing landscape features and the need for management of flows in the Seabrook from a flood risk management perspective. Other design considerations influencing the masterplan include adjacent land uses in the form of existing dwellings along Topsham Road and Newcourt Road, future residential development of the former RNSD, Topsham Town football ground, and the open space of the Millennium Woodland and the golf course. In recognition of the Education Authority's desire for a school on this site the masterplan incorporates such provision. This formed a further constraint in terms of its most appropriate location given that it would serve a wider area than just the application site. Having established that a school would form part of the proposal, and the merits of locating it near to the boundary with other land to be developed for new dwellings (lower RNSD), a clear rationale for a central community hub to the development evolved.

In respect of the overhead power lines numerous options were considered ranging from leaving them in situ through to undergrounding all 3 lines. In assessing options the desire to maximise the capacity of the site had to be weighed against costs associated with undergrounding works. Leaving the lines in situ was considered less satisfactory in terms of residential amenity and would have failed to maximise the sites in terms of housing delivery. Complete undergrounding did not really result in a significant improvement in the effective

distribution of land uses and weighed against the significant cost was discarded as an option. The compromise embodied in the application of undergrounding the northern power line between the other two in a new green corridor was considered to strike an appropriate balance between maximising the development potential of the site, improving residential and public amenity, and cost.

Analysis of the impact of noise associated with the M5 upon potential development within the site, and opportunities for mitigation, led to a masterplan approach of locating less noise sensitive development closest to the M5 boundary (open space and sports pitches) and thereby providing a buffer between the motorway and the more noise sensitive residential development.

The need for future management of water flow within the Seabrook on flood risk grounds, coupled with the route of the retained powerlines and green infrastructure/ecological considerations, shaped the masterplan in terms of provision of openspace/recreation opportunities and the facilitation of wildlife movement through established corridors across the site.

Placemaking, including character areas

An analysis of local townscape characteristics has been undertaken as part of the masterplan development process. This analysis has informed the masterplan and led to the identification of distinctly identifiable character areas across the site. These different character areas are not only identifiable by differences in building design, but also through their linkages between neighbourhoods and relationship to features such as site entrances, watercourses, and landscape/open space corridors. The masterplan identifies 5 different residential character areas, the central community square/hub, and 3 distinct landscape/openspace character areas reflecting the slightly different functions. The Planning, Design and Access Statement states that these areas have been identified on the basis of both existing site characteristics and the roles and responsibilities of the place being created. The aim is to create a cohesive sense of place for the overall development within each character area which will incorporate subtle differences in public realm, relationship to the stream, landscape features, scale, grain, mix of dwelling types and uses (such as the local centre. The submitted information states that "Each character area will be connected by a comprehensive palette of materials for the buildings, landscaped areas, public realm and street paving. In addition, the character areas will be physically connected by a network of streets, squares, spaces, footpaths and cycleways." For each character area the Design and Access Statement suggests a density, built form characteristics and scale of buildings.

Sustainability, inc allotments/orchards

Even at the stage of an application for outline planning permission the issue of sustainability needs to form a fundamental part of any assessment of the scheme's merit. The submitted Planning, Design and Access Statement includes a section on Sustainability and identifies key features that have been considered to ensure that the proposal will deliver a sustainable development.

It highlights the location of the development relative to existing public transport networks, and the fact that the scheme is designed to minimise car travel and maximise the potential for walking, cycling and use of public transport. Inclusion of many everyday facilities within the development (e.g. school, community hall, doctors, local store and recreational facilities) will reduce the need for trips off site. The design (including long term connection to adjoining developments), together with the proposed contributions to transport infrastructure and features of the Green Travel Plan, will ensure the scheme has a high level of transport sustainability.

In terms of the built form the layout embodied in the masterplan incorporates a building and street orientation that will allow solar gain opportunities to be maximised across the site.

From the outset all dwellings will meet Code 3 of the Code for Sustainable homes rising to Code 4 on subsequent phases in line with the required Building Regulations in force at the time of construction. Although a site wide district heating system has been ruled out by the applicant on economic viability grounds, smaller scale combined heat and power systems may be considered for the community/commercial uses grouped around Seabrook Square.

An important feature of the open space/landscape strategy is the provision of new community allotments and orchards. These will have the potential to further enhance the overall sustainability features of the development. These open spaces incorporate surface water attenuation basins which will form part of a site wide sustainable drainage approach to control surface water run-off associated with the development. Ground infiltration will be the favoured approach where ground conditions are suitable. A separate Energy Statement has been submitted appraising the various options available to reduce energy usage and carbon emissions associated with the development. This concludes that the strategy for reducing energy use and associated carbon emissions through the design of the scheme follows a three step approach -

- Reducing the energy demand through passive design strategies and provision of a high quality building envelope
- Reducing the energy consumption through best practice design of building services, lighting and energy control
- Installation of on site Renewable Energy Technologies and where applicable use of allowable solutions to reduce the carbon emissions further.

Landscape and Biodiversity

The scheme proposes enhancement of the existing landscape and biodiversity features through its approach to flood risk management and the provision of public open space and recreation facilities. The Seabrook comprises an existing green corridor through the site that has some nature conservation value, as recognised in its designation as a SLINC in the adopted Local Plan. It has been identified as being beneficial in flood risk management terms to undertake re-modelling of the profile of the Seabrook so that the whole site would then fall within Flood Risk Zone 1 (lowest risk) and thereby minimise the potential for future flooding of the new dwellings. At the same time the opportunity to re-align the route of part of the Seabrook, within the new green corridor to be created beneath the retained powerlines, will be taken to maximise the development potential of the site. A staged approach to the re-modelling of the Seabrook will ensure that its nature conservation function is maintained over the construction period. Ultimately it is envisaged that the new Seabrook corridor will have a dual function as both a watercourse and wildlife corridor, and an attractive part of the green infrastructure of the site facilitating both pedestrian and cycle access through the site. The detailed design of the re-modelled Seabrook corridor will be the subject of a condition requiring approval of the details to ensure its design and layout does not compromise its nature conservation function.

The most important current landscape features of the site, in the form of hedgerows and trees, will be retained wherever possible as part of the development, and this along with additional landscaping provided as part of the overall development will help to ensure that the proposal is effectively assimilated into the local landscape.

The scheme will result in a variety of landscape and biodiversity features across the site that will be managed according to their form, from the informal wildlife areas around the stream, woodland and site edges, to the wetland/semi-wetland habitats around the Seabrook and surface water balancing areas. Other parts of the landscape/open space strategy will provide opportunities for habitat creation and management, including the community allotments and orchards and the general open space beneath the pylons linking the Exe Estuary with the Millennium Woodland and beyond to the Ludwell Valley Park.

The submitted Planning, Design and Access Statement states "The site has only pockets of wildlife and ecology value at present. The scheme produces better managed habitats, coupled with enhanced landscape diversity and a strong landscape framework, components varying from formal landscape to wild areas."

It is envisaged that much of the open space/green infrastructure of the site will be managed in future by a Management Company set up as part of the development, although there is also the option of some parts being transferred to the Council for future management.

Southern Area Working Party (17 /08 /11)

Members noted that the application would be determined by Planning Committee. There was some discussion about the highway impact of the development and the desirability of as early a connection as possible between this site and the link road running through the RNSD. Members noted that a representative of the Highway Authority would be asked to attend Committee to address any transportation related queries arising from the scheme.

Conclusions

The application is for a high quality and attractive scheme providing a wide range of community facilities serving not only the Seabrook Orchards development but also of significant benefit to the wider needs of the Newcourt urban extension. These include a new primary school, multi-purpose community hall, doctors surgery/primary healthcare and local store focussed around a new square in the form of a community hub. The scheme also provides community allotments and orchards, two playing pitches, changing rooms/pavilion, multi use games area (MUGA) and informal open space in excess of the 10% policy requirement. The phased construction of 700 new dwellings across a range of house types, sizes and tenures will play a major role in delivering a significant part of the Council's housing allocation reinforcing the Council's 5 year housing land supply. The Design and Access Statement sets out a framework for the delivery of high design quality and placemaking. Planning conditions will facilitate a connection to the adjacent development by the 301st dwelling or the opening of the primary school, whichever is the sooner. Other technical and environmental issues are considered satisfactory and acceptable.

Section 106 Summary

- 25% affordable housing of which 75% will be social rent.
- Financial contribution to Newcourt rail halt
- Financial contribution to further bus priority measures along Topsham Road
- Provision of a community bus on occupation of 100th dwelling (funded for 5 years)
- Car club contribution and provision of parking space (on occupation of 100th dwelling)
- Commitment to enter into a Section 278 Agreement for junction works, bus stops and shelters and pedestrian/cycle crossing on Topsham Road.
- Provision of a Primary school site and a financial contribution to both primary and secondary school education.
- Construction of a multi-purpose community hall.
- Construction of a Doctor's Surgery/Primary Healthcare Facility
- Provision of two playing pitches with associated pavilion/changing facilities
- Provision of a Multi Use Games Area
- Provision of community allotments and orchards and arrangements for their future maintenance.
- Completion of the M5 Landscape Corridor (including acoustic fencing) prior to the occupation of any dwelling in the adjacent phase of development that requires noise attenuation
- Arrangements for the laying out and future maintenance of Public Open Space, including the Seabrook Corridor, and for the erection and future maintenance of play equipment.

RECOMMENDATION

Having had regard to the Environmental Impact Assessment submitted with the application and the representations made about the environmental effects of the development
APPROVE subject to the completion of a Section 106 Agreement securing the matters referred to in the summary above, and subject to the following conditions;

- 1) C01 - Standard Outline
- 2) The development hereby approved must be begun within five years from the date of the grant of outline planning permission, or two years from the final approval of the reserved matters, whichever is the later.
Reason: To ensure compliance with section 91 - 92 of the Town and Country Planning Act 1990.
- 3) C15 - Compliance with Drawings
- 4) Notwithstanding drawing nos. 17329/001/012 Rev F and 17329/001/013 Rev B detailed drawings of the design and layout of the two new junctions on Topsham Road shown on Masterplan drawing no. PLAN004 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development on site.
Reason: To ensure that the detailed designs of the junctions are acceptable and take into full consideration the needs of cyclists and pedestrians as well as motorised vehicles (including public transport vehicles).
- 5) Unless otherwise agreed in writing by the Local Planning Authority 'reserved matter' applications submitted pursuant to this outline approval shall be in broad accordance with the Masterplan drawing no. PLAN004.
Reason: To ensure that the design and layout of the development is approached comprehensively and achieves a high quality design that creates a unique sense of place for this significant urban expansion of Exeter in line with the submitted Planning, Design and Access Statement dated July 2011.
- 6) Prior to the submission of any reserved matters application a detailed set of design codes for the various character areas identified in Section 5.7 of the submitted Planning, Design and Access Statement dated July 2011 shall be submitted to, and be approved in writing by, the Local Planning Authority. The design codes shall be based upon the principles already identified for each character area within that document. Thereafter subsequent reserved matter applications shall conform to the detailed design codes approved pursuant to this condition.
Reason: To ensure that the detailed design and layout of the development is approached comprehensively and achieves a high quality design that creates a unique sense of place for this significant urban expansion of Exeter in line with the submitted Planning, Design and Access Statement dated July 2011.
- 7) Prior to the commencement of the development a detailed phasing plan based on that identified on page 83 of the submitted Planning, Design and Access Statement dated July 2011 shall be submitted to, and be approved in writing by, the Local Planning Authority. The phasing plan shall specify the proposed timing for the undergrounding of the high voltage electricity cable, the re-profiling and re-alignment of the Seabrook, and the delivery of the areas of public open space/green infrastructure as well as the construction programme for the housing and other built elements of the development.
Reason: To ensure that the development proceeds in accordance with an agreed programme of delivery and that within individual phases the open space associated with the development is co-ordinated with the construction of the houses which it will serve.

8) None of the dwellings/buildings within any phase of the development over sailed by the existing high-voltage power line to be undergrounded as part of the application shall be occupied/brought into use until that power line has been removed from overhead in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of residential amenity.

9) All of the dwellings constructed pursuant to this application shall be designed to at least meet the standards specified in Level 3 of the Code for Sustainable Homes published in 2008. A Code Post Completion Certificate shall be submitted to the Local Planning Authority within 6 months of the substantial completion of the development hereby approved.
Reason: In the interests of sustainable development and to ensure that the development is consistent with the objectives for sustainable development set out in PPS1 – Delivering Sustainable Development and PPS22 - Renewable Energy.

10) Prior to commencement of the development a scheme for generating a minimum of 20% of the predicted energy requirement of the development from on-site renewable or low carbon energy sources sources shall be submitted to, and be approved in writing by, the Local Planning Authority. The approved scheme shall be implemented before the dwellings are first occupied and shall thereafter be maintained so that it provides the required level of generation.
Reason: To ensure that the development contributes towards the achievement of sustainable development in accordance with guidance contained in PPS1 – Delivering Sustainable Development and PPS22 - Renewable Energy and that the scheme is developed in such a way as to reduce reliance on non-renewable energy sources and maximise energy efficiency in the interest of sustainable development.

11) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 or any Order revoking and re-enacting that Order, no extension, garages or other development aside from that contained within Part 40 shall be carried out within the curtilage of the dwelling(s) without the formal consent of the Local Planning Authority.
Reason: In order to protect the visual and residential amenities of the surrounding area and to prevent overdevelopment.

12) C34 - Landscape Scheme - Outline

13) C38 - Trees - Temporary Fencing

14) C36 - No Trees to be Felled

15) The development shall not begin until full details of all drainage works associated with the development have been submitted to, and approved in writing by, the Local Planning Authority. These details should include full details of the proposed surface water drainage scheme and demonstrate how the scheme has followed the recommendations contained in the Flood Risk Assessment dated February 2011 submitted in support of this application.
Reason: To ensure the satisfactory drainage of the development.

16) C57 - Archaeological Recording

17) No development shall take place on any individual phase of the site identified pursuant to Condition 7 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. In respect of each phase the buildings shall not be occupied or the open spaces

landscaped until the approved remedial works relating to that phase of the development 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 buildings and users of the facilities hereby approved

- 18) Samples of the materials it is intended to use externally in the construction of any individual phase of the development identified pursuant to Condition 7 shall be submitted to the Local Planning Authority and the development of that phase shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.
- 19) Prior to the commencement of any phase of the development hereby approved details of the location and specifications of any proposed site compound, including any constituent buildings, shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.
Reason: To ensure that the location and design of any site compound are acceptable in terms of visual and amenity impact.
- 20) Prior to any works commencing on any phase of the development site, a Construction Environmental Management Plan (CEMP) relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimize the creation and impact of noise, vibration, dust, waste resulting from the site preparation and construction phases of development. Once approved the CEMP shall be adhered to at all times, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of the environment of the site and surrounding areas.
- 21) No construction work shall be undertaken, or machinery operated, within the site outside the hours of 0800 to 1800hrs Mondays to Fridays, 0800 to 1300hrs on Saturdays, nor at any time on Sundays or public holidays without the prior written consent of the Local Planning Authority.
Reason: In the interests of the residential amenity of the occupants of surrounding property.
- 22) The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture for any phase of the development identified pursuant to condition 7 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.
- 23) Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 or any Order revoking and re-enacting that Order, any reserved matters application submitted pursuant to this application shall include details of the proposed location, design and means of enclosure of any electricity

sub-stations required as part of the development.

Reason: To ensure that these facilities are incorporated as an integral part of the design and layout of the development and in the interests of the visual amenities of the area.

24) H02 - Highways - Provision parking, etc

25) No phase of the development hereby approved shall commence until details of the proposed levels of that phase of the development in relation to existing ground levels and an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority. The submitted information shall include ultimate finished floor levels and overall ridge heights of the new buildings in relation to the final road levels.

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

26) A comprehensive Travel Plan will be developed for all elements of the development hereby permitted. The acceptability of the travel plan will need to be agreed in writing by the Local Planning Authority and Local Highway Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport), in advance of occupation of the development.

The Travel Plan will need to be prepared in line with prevailing policy and best practice and shall include as a minimum:

- The methods to be employed to meet these targets
- The mechanisms for monitoring and review
- The mechanisms for reporting
- The penalties to be applied in the event that targets are not met
- The mechanisms for mitigation
- Implementation of the travel plan to an agreed time scale or timetable and its operation thereafter
- Mechanisms to secure variation to the Travel Plan following monitoring and reviews.

A review of the targets shall be undertaken within 3 months of occupation of the development, and on an annual basis thereafter, at the time of submission of the Annual Travel Plan Report.

Reason: In order that the development promotes public transport, walking and cycling and limits the reliance on the private car to the benefit of the Strategic Road Network.

27) Prior to the commencement of any development in phases 4, 6 or 7 of the development, as identified on the phasing plan on Page 83 of the submitted Planning, Design and Access Statement, a scheme for mitigating the effects of the housing development on the adjacent golf course shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme of works shall then be implemented prior to the occupation of any dwellings in those phases.

Reason: To ensure that appropriate measures are put into place to minimise the potential adverse impact of the development upon the operation of the golf course, and to protect the residential amenity of future occupants of dwellings within these phases of the development.

28) Prior to the submission of any reserved matters application pursuant to this consent the site shall be resurveyed to ascertain the presence or otherwise of any badgers setts, and to identify any other badger activity on the site such as feeding/foraging patterns, and the survey shall be submitted to and approved in writing by the Local Planning Authority.

Subsequent 'reserved matters' applications shall clearly demonstrate how the findings of the survey in respect of habitat/feeding/movement of badgers on the site have been protected/enhanced within the design/layout proposed.

Reason: To ensure that the potential impact of the proposal upon badgers is appropriately addressed and mitigated

29) Prior to the submission of any reserved matter applications pursuant to this consent a site wide Landscape and Habitat Management Strategy incorporating the recommendations contained in the Environmental Statement dated July 2011 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved document, and each subsequent 'reserved matter' application shall incorporate a statement demonstrating how compliance with the approved Landscape and Habitat Management Strategy has been incorporated/achieved.
Reason: In the interests of securing a comprehensive approach to the preservation and enhancement of the landscape and ecological interest of the site

30) Prior to the submission of any reserved matter applications pursuant to this consent all trees on site shall be surveyed to ascertain the presence or otherwise of bat roosts. The survey shall be carried out by an appropriately qualified expert and include proposed mitigation measures where required. The results of the survey and details of any necessary mitigation measures identified shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved document, and each subsequent 'reserved matter' application shall incorporate a statement that prior to any trees being pruned or felled they will be assessed for possible bat interest prior to works being carried out. This should involve inspection of the tree / limbs to be removed for potential roosting opportunities. If bats are found to be using limbs or trees, the advice of a bat consultant should be sought to prevent disturbance / injury to bats which would constitute an offence.
Reason: To comply with the Wildlife and Countryside Act 1981 and amended by the Countryside and Rights of Way Act 2000

31) Prior to the commencement of any development within phases 2b or 3 as identified in the phasing plan on page 83 of the submitted Planning, Design and Access Statement dated July 2011 detailed plans, including sections, of the proposed noise attenuation feature along the eastern boundary with the motorway, along with a timeframe for its implementation, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details and no building intended for residential use shall be occupied until the noise attenuation feature has been completed in accordance with the approved details.
Reason: In the interests of the residential amenity of the future occupants of buildings within these phases of the development

32) Prior to the commencement of any works affecting the Seabrook watercourse detailed plans, including sections, of the entirety of its re-profiling and re-alignment, along with the proposed landscaping, layout and measures to facilitate public access associated with the creation of the new Seabrook corridor feature shall be submitted to and be approved in writing by the Local Planning Authority. The details shall demonstrate how the flood risk management, wildlife and public recreation functions of the corridor have integrated without detriment to each other. Thereafter the Seabrook corridor shall be provided in phases in accordance with the approved details as part of each related phase of the development in line with details approved pursuant to condition 7.
Reason - To ensure that the proposed works to the Seabrook maximise the potential for recreational use and habitat enhancement and meet flood risk management requirements.

33) No development shall take place within any phase of the development site identified pursuant to Condition 7 until a scheme for the mitigation of external noise upon the

occupants of buildings within that phase, including details of building orientation, layout and building specifications, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason: In the interests of the amenity of future occupants of the buildings.

34) Prior to occupation of the development hereby permitted, cycle parking shall be provided for all premises in accordance with details previously submitted to and approved in writing by the Local Planning Authority. In the case of workplaces and other premises, secure parking, showers and lockers should be provided for staff, and more casual parking for short term visitors. The cycle parking and other facilities shall be maintained at all times thereafter.

Reason: to ensure that cycle parking is provided, in accordance with Local Plan policy T3, to encourage travel by sustainable means.

35) A road (to an agreed specification) to be built to the Dukeminster boundary north of the school site (at a point to be agreed within the 50m corridor specified in the Dukeminster approval) before the occupation of the 301st house or opening of the school, whichever is the earlier.

Reason: To ensure that the facility to connect the proposed development to adjacent development is made available and not negated by the development.

36) Not more than 650 dwellings to be occupied prior to the construction and opening of the northern road connection within the site to the spine road between Topsham Road and the A379.

Reason: to ensure that, when the major part of the proposed development is occupied, the site has appropriate levels of permeability to allow maximum accessibility to and from the site by all residents and all travel modes.

37) Prior to commencement of the development, a detailed scheme for the pedestrian and cycle network shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-

- (a) details of routes, road crossings, bridges, surface treatments, lighting, street furniture and signage;
- (b) a programme for implementation synchronised with the progressive occupation of the development; and
- (c) such temporary measures as are necessary (such as ramps where routes cross unfinished roads) to ensure the routes are fully usable during the construction period.

The approved scheme shall be adhered to at all times, including (where applicable) any amendments subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure that the pedestrian and cycle routes are provided and maintained in accordance with Local Plan policy T3, to encourage travel by sustainable means.

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 7

ITEM NO.

7

COMMITTEE DATE:

16/01/2012

APPLICATION NO:

11/1748/03

FULL PLANNING PERMISSION

APPLICANT:

Coffee #1 Ltd

PROPOSAL:

Change of use from retail to coffee shop with provision of outdoor seating area.

LOCATION:

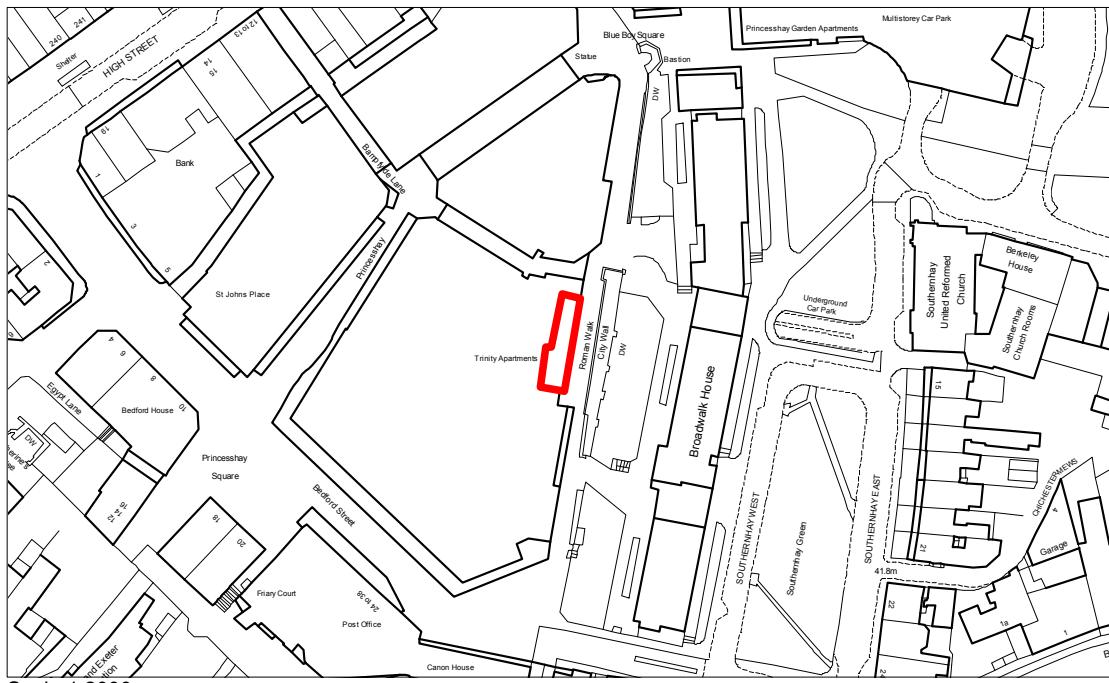
Former A H Moda, 4-5 Roman Walk, Exeter, EX1 1GN

REGISTRATION DATE:

24/10/2011

EXPIRY DATE:

19/12/2011



Scale 1:2000

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DESCRIPTION OF SITE/PROPOSAL

This application relates to Units 4-5 Roman Walk which is a double fronted unit facing onto the City Wall. This Unit was approved as part of the Princesshay development.

This application seeks planning permission for a change of use of the unit from retail (Use Class A1) to coffee shop (mixed Use Class A1/A3) and for a change of use of the outside pavement to create an associated outside seating area. The submitted scheme indicates that the outside seating would be provided either immediately outside the shopfront along the length of the unit (20 covers) and on the opposite side of the walkway adjacent to the City Wall (14 covers) providing a total of 34 covers in total. Inside the Unit, the premises indicates a total of 56 covers.

Residential accommodation (Trinity Apartments) is located immediately above the Units which are served by balconies.

The application site is located within the Central Conservation Area.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The submitted Planning Statement concludes that the proposed use would add to the vitality and viability of the area. It highlights that such uses have consistently been found to act as

an attractor to a centre and encourage increases in pedestrian footfall. It sets out that the proposed change of use would be in accordance with policy.

Condition 4 of planning permission 02/0300/03 requires a minimum of 50% A1 retail units within the Princesshay development. The site survey conducted in October 2011 concluded that the current occupation of A1 uses is 82%. The granting of this application would mean a reduction of the A1 occupancy to 81%

The Development Plan states that food and drink outlets falling within Use Class A3 are entirely appropriate within Exeter City Centre provided such land uses would not harm vitality or viability.

As a mixed A1/A3 coffee shop, Coffee # 1 combines the benefits of an eat in cafe with those of a retail shop. This is considered viable, appropriate and acceptable type of use in the City Centre.

Coffee # 1 contends that occupancy of 4/5 Roman Walk would contribute to the vitality of the Princesshay shopping development. The proposal unit is currently vacant, generating no footfall. The A1/A3 occupancy of this unit would increase the vitality of the shopping centre through increased footfall along Roman Walk and attract more people to the Princesshay development.

The provision of outdoor seating will encourage people to make Coffee # 1 a destination within Exeter City Centre, further contributing to the generation of footfall.

The hours of opening are proposed from 8am - 6pm Monday to Friday and from 9am - 6pm on Saturdays and Sundays.

Hot and cold drinks and cold food only are sold from the premises; there is no sale or preparation of hot food, apart from warmed panini and quiche, cooked off site. This means there is no need for extraction units for fumes.

Coffee # 1 sells coffee related merchandise such as coffee making machines, cafetières, mugs and books. Ground and whole coffee beans will be sold to the public and will be displayed within the merchandise displays at the front of the shop and through the remainder of the store. The A1 element of the proposal therefore represents a significant proportion of the overall use and is positioned to ensure it is prominent within the shop, similar to traditional A1 uses.

REPRESENTATIONS

11 letters of objection have been received:-

1. Already overprovision of eating and drinking establishments in Princesshay and City Centre in general and in particular Roman Walk itself;
2. Outside seating area will have a negative effect on the ability of residents to use their balconies or open windows due to secondary smoke from people congregating at tables immediately below;
3. Noise and disturbance to residents from the daily setting up and clearing always of outside furniture in the morning and evening as the proposed opening times are at 8am;
4. Outside furniture will impede access to apartments;
5. Insufficient space particularly for mothers with pushchairs or people with wheelchairs to utilise the outside seating;
6. Noise and disturbance from the deliveries;
7. Use will generate a significant amount of litter in the area and
8. Concern that as work has commenced on site prior to the determination of the planning application, conditions imposed will be disregarded by the applicant.

CONSULTATIONS

The County Director of Environment, Economy and Culture raises no objection subject to the imposition of conditions ensuring the seating area is used solely as additional accommodation ancillary to 4 to 5 Roman Walk; all tables, chairs and ancillary equipment associated with the pavement cafe shall be removed from the area when not in use and the pavement cafe area hereby approved shall be maintained free of enclosures such as chains, bollards or barriers or any object that may introduce a hazard.

The Head of Environmental Health Services raises no objection in principle subject to the imposition of conditions and the submission of further details in respect of noise.

PLANNING POLICIES/POLICY GUIDANCE

Devon County Structure Plan 2001-2016

CO6 - Quality of New Development

CO7 - Historic Settlements and Buildings

Exeter Local Plan First Review 1995-2011

C1 - Conservation Areas

DG1 - Objectives of Urban Design

EN5 - Noise

S3 - Shopping Frontages

Central Conservation Area Appraisal adopted March 2004

OBSERVATIONS

In principle the introduction of a coffee shop would be acceptable given the type of units in Princesshay and the number of units which already include outside seating in this area. Indeed it is considered that the attraction of a coffee shop in this location would increase the number of pedestrians using Roman Walk and therefore benefit other units in this area, helping to ensure their viability and vitality which is to be welcomed. However the proposal also needs to be assessed against Local Plan Policy S5 particularly with regard to the impact this facility will have on nearby residential amenities. It is acknowledged that the number of objection letters received highlights the potential concerns from residents living above and the impact the use would have on their amenities.

The supporting information provided by the agents indicate that there will be no preparation of hot food in association with this unit. Consequently it is not anticipated that residents living above in Trinity Court will experience unacceptable problems of odour from this use. The Environmental Health Officers has requested further details in respect of noise levels from the air conditioning units to confirm that this element of the proposal will also be acceptable.

It is considered that the main concern for residents is the provision of the outside seating area and the potential for noise and disturbance from customers using this facility. It is noted that the hours of operation are from 8am to 6pm Monday to Friday and 9am to 6pm on Saturday and Sunday which is consistent with other retail units in the area. For example, Chandos Deli which is located at No.1 Roman Walk has opening times of 9am to 6pm Monday to Saturday and 10am to 4pm on Sunday and has not been subject to any complaints relating to noise or disturbance. Whilst the proposed Coffee # 1 will operate slightly longer opening hours this is considered acceptable. Indeed it is acknowledged that many other uses, such as restaurant uses, in the vicinity operate for longer opening hours. The hours of opening, which can be controlled by condition, will ensure that the level of potential noise and disturbance will be limited to normal shopping times and therefore acceptable.

In addition, following comments raised by local residents Members at the Working Party considered that the removal of the seating area adjacent to the City Wall, a total of 14 covers, would help to reduce the potential impact on residents living in the flats above by virtue of less people being seated in this area. The removal of these covers would also ensure that views of the Roman Wall remain unrestricted which has been highlighted by the Conservation Officer as being desirable. Subject to the receipt of amended plans showing the removal of this area of seating, this application should be approved.

WESTERN AREA WORKING PARTY

Members considered that the principle of the outside seating area was acceptable but raised concern about the location of the seating adjacent to the Roman Wall as this could have the potential for noise and disturbance to residents living in the flats above. It was considered that the 14 seating areas in this area should be removed to address this issue.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) The outdoor seating area hereby approved shall be used solely as additional accommodation ancillary to 4 to 5 Roman Walk and for no other purpose.
Reason: To control the character, and to minimise the volume, of service traffic, in the interests of public safety.
- 4) The pavement cafe area hereby approved shall be maintained free of enclosures such as chains, bollards or barriers or any object that may introduce a hazard.
Reason: In the interests of public safety.
- 5) Before the external seating areas are first brought into use a scheme for the management of these areas shall have been submitted to and approved in writing by the Local Planning Authority. This shall include details of the setting out and putting away of furniture. The outdoor seating areas shall subsequently be managed in accordance with that agreement.
Reason: To protect the reasonable living conditions of occupiers of nearby residential properties and in the interests of public safety.
- 6) No external plant or machinery shall be installed on site without the prior approval of the Local Planning Authority.
Reason: In the interest of local amenity.
- 7) The outdoor seating area shall only be used between the hours 0800 and 1800 hours Monday to Friday and 0900 and 1800 on Saturday and Sunday. The tables and chairs and other items of furniture related to the outside seating area shall be removed from the area at all other times.
Reason: To safeguard the living conditions of occupiers of residential properties above and in the interests of public safety.
- 8) Details of umbrellas, chairs, tables and any other items to be placed within the outdoor seating areas hereby approved shall be submitted to and approved in writing by the Local Planning Authority before being installed on site.
Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

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 8

<u>ITEM NO.</u>	8	<u>COMMITTEE DATE:</u>	16/01/2012
<u>APPLICATION NO:</u>	11/1533/03	VARIATION OF CONDITION	
<u>APPLICANT:</u>	Mr Dawson CPG South Ltd		
<u>PROPOSAL:</u>	Variation of condition 2 to allow minor alterations to the elevations of the approved building and condition 8 to allow the first floor to be used for retail / restaurant / cafe purposes (Ref: 09/2050/03 granted 23/02/2010)		
<u>LOCATION:</u>	The Exebridge Centre, Cowick Street, Exeter, EX4 1AH		
<u>REGISTRATION DATE:</u>	22/09/2011		
<u>EXPIRY DATE:</u>	17/11/2011		



Scale 1:1250

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UPDATE FROM PLANNING COMMITTEE DATED 5 DECEMBER 2011

This application was deferred from the previous Planning Committee. Members requested additional comment from Devon County Council regarding the background to discussions held between the developer and the County Council in respect of library provision within the Exebridges building. In response to this The Head of Planning Services set out a series of questions to the Head of Library Services and received the following responses on 20 December -

What was the County Council's approach to negotiations with the developer of the Exebridges Retail Park? - I can confirm that we had a series of discussions with the then developer of the Exebridges Retail Park. The developer's terms for the site showed no sign of decreasing as negotiations continued; in fact, at one stage, they increased quite considerably.

Please confirm Devon County Council's plans for a temporary library in Church Road.
- It may be helpful to understand that, as part of a previous long-standing agreement with the owner of the site, the County Council had not paid any lease costs for the library on the Exebridges site for 11 years. At a time of severe financial constraint, which has impacted on

all libraries across the county through reduced staffing and opening hours, it was difficult, as I'm sure you will appreciate, for the County Council to countenance paying the lease costs offered by the developer. With no prospect of favourable negotiations in sight, the County Council had no option but to withdraw from the negotiations and seek alternative interim provision in the West Exe area. The County Council feels it did its best to negotiate a reasonable lease.

I can confirm that we plan to open an interim library facility in Church Road on 6th February 2012. I can also confirm that we have taken a 3 year lease on the building. Once in the interim accommodation, we will continue our assessment of available sites in the West Exe area for a permanent library for the community without the time pressures faced following the breakdown of negotiations with the developer of the Exebridges Retail Park. The County Council has no plans to withdraw its permanent library provision in the West Exe area. Any decision regarding a permanent library will involve appropriate public consultation to ensure the facility meets the identified needs of the local community.

Please confirm the County Council's plans to retain a permanent library in St Thomas -
The County Council remains committed to providing a public library service in the area.

Could another group provide a library in the Exebridge building? -*The question as to whether or not an alternative organisation or group could provide a library in the area is largely irrelevant. In abstract terms, it may be possible for this to happen but it would require very significant community involvement and fundraising to enable this to happen.*

In light of the County's clear commitment to provision of a library in St. Thomas at a location other than that subject to this application and their comments in respect of an alternative provider it is reiterated that there are no grounds upon which to oppose the current application.

HISTORY OF SITE

Planning permission was granted in October 1999 (ref 99/0105/03) for the redevelopment of the former Sainsbury retail store and replacement with a mixed use development for retail units (Class A1), a restaurant (Class A3) and highway improvement works.

An application for the change of use of the existing library building to a retail unit (ref 09/1248/03) was refused in February 2010 on the grounds of the loss of a community facility and unresolved highway and public realm issues.

In April 2010 planning permission was granted for retail units on ground floor and a library at first floor. (ref 09/2050/03).

In October 2010, two further applications were approved. One application (10/1345/03) approved the variation of conditions to enable a phased development of the original scheme which allowed the car parking and highway works to be carried out prior to the redevelopment of the retail/library building and allowed the subdivision of the retail units. The second application (10/1333/03) approved the changes to the external appearance of the retail units by the introduction of additional entrance doors.

DESCRIPTION OF SITE/PROPOSAL

The series of permissions which have been granted for this site since its initial approval for the demolition and replacement of a new building in 2010 allows the ground floor for use as either retail (Class A1) or restaurant use (Class A3) and for it to be set out as one single unit or as a number of smaller units. The current permission requires the first floor of the new building to be used only as a library. This application seeks approval for the use of the first floor for either retail or restaurant purposes.

Condition 8 of the planning approval 09/2050/03 specifically required the first floor to be used as a library and associated functions and therefore would need to be varied to enable the applicant's intentions for this area to be used for retail or restaurant use to be realised. Condition 2 of the original approval dealt with detailed plans and accordingly the removal of the library function required changes to the building's layout and elevational appearance. Consequently the permission requires the variation of both condition 2 and 8 to enable the change from library to retail/restaurant use on the first floor to occur.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Planning Statement has been submitted by the applicant's agents. The main points are :-

The application site lies within the defined boundary for St Thomas District Centre in the Local Plan and therefore it is an appropriate location for all Class A uses. Indeed the principal has already been established through the previous permissions on the site.

Exeter Local Plan Policy S5 states that Class A3 Uses will be permitted provided that the proposal will not harm the amenity of nearby residents or increase the potential for crime and anti-social behaviour. The application site is located on a retail park, away from residential properties so there is no reason to believe that any impact on residential amenity will arise as a result of the proposed development.

With regard to crime and anti-social behaviour, this is understood to relate to late night takeaway uses (Class A5) which at the time the Local Plan was adopted, were included within Class A3. As such uses now have their own separate use class (Class A5), it is not considered that this element of the policy is relevant.

Policy S3 states that the changes of use of ground floor retail premises within the defined centres will not be permitted if there would be an impact on the viability and viability of the centre. The proposed development comprises new Class A floorspace on a retail park that forms part of the defined centre.

Devon County Library Services have already stated their intention to withdraw from the Exe Bridge Centre and seek alternative accommodation elsewhere and therefore the application will not result in the loss of a library.

Devon Structure Plan Policies ST1 and ST3 seeks to meet the social and cultural needs of local communities through the provision of appropriate facilities in sustainable locations. Importantly, the policies do not set out protection for existing facilities.

The Communities Services section of the Local Plan states in its introductory paragraph that one of the Plan's aims is to protect and enhance existing community facilities. However, while there are policies relating to the provision of new facilities, there is no policy which seeks to protect libraries. As such the proposed development is not contrary to any policy in the Exeter Local Plan.

Discussions between the Library Services and the landowner regarding the relocation of the library began in early 2009. The negotiations broke down in 2011 and despite an offer to re-open negotiations Devon County Library Services decided to seek alternative premises elsewhere. Consequently the owner has had to consider its plans for the first floor of the approved building. It is considered that the most appropriate way forward is to seek approval for the uses already permitted at ground floor level (Class A1 & A3) which are considered appropriate in this location.

REPRESENTATIONS

71 letters of objection. Principal planning issues raised:-

1. The applicant has misled the public through the submission of several applications;
2. Previous application refused as being contrary to Devon Structure Plan policies ST1 & ST3 and advise contained in Exeter Local Plan section on Community Services which are still applicable;
3. Loss of library as a local service will be a loss to the community as it is well used and will significantly affect the character of the locality;
4. Need to identify new replacement library before permission is granted;
5. Additional retail/restaurant use is not needed as there is already adequate in the area;
6. Concern that library removal will lead to a series of temporary locations;
7. Existing library location is in close proximity to shops and other services as well as good train and bus links therefore representing a sustainable location;
8. Alternative location for the St Thomas library could lead to more journeys being made by car;
9. Loss of library will be detrimental to existing retail uses in the area;
10. Additional retail/restaurant will result in more traffic to the area.

CONSULTATIONS

The Environment Agency comment that providing the development proceeds in accordance with the agreed Flood Risk Assessment there are no objections to the proposal.

The Executive Director of Environment, Economy and Culture comment that the detailed changes that are the reason for the variation of Condition 2 are not likely to have any significant effect on the highway and pedestrian circulation areas. The existing and agreed on-site facilities, access and circulation areas are considered suitable to accommodate the use of the first floor for retail/ restaurant/cafe purposes and for that reason the variation of Condition 8 is acceptable from a highway view.

The Head of Environmental Health comment that there are insufficient details of the kitchen air supply or extract systems and full details should be provided. It is accepted that without a specific tenant identified this may be difficult and therefore the submission of the details could be conditioned or a subsequent application for external flue/lourves should be made.

The Devon County Head of Services for Communities has commented on specific questions raised by the City Council in the respect of this application:-

The need for and intention to provide, a replacement library in Cowick -

The County Council is committed to maintaining a library service for use by residents of the West Exe area. After our negotiations with the developer of the Exe Bridges Retail Park broke down earlier this year, the County Council began to look for alternative temporary premises, to which we could relocate at the end of the lease on the current site. Whilst temporary accommodation has been identified at the old stationers shop on the corner of Cecil Road and Church Road the County Council will continue to explore options for a permanent facility in the area.

How suitable the approved first floor accommodation in the replacement building is to meet the library services needs -

Whilst the County state that the first floor location would not be ideal it would be adequate so long as an effective and reliable lift could be provided and an affordable rent could be secured. Since then negotiations with the developer have broken down as a result of an inability to agree an affordable rent for a library. Given that new negotiations would not necessarily result in a more attractive rent being agreed, it is considered that the proposed location of the library on the site to be largely irrelevant.

Any observations on whether it is merely contractual terms that form an impediment to reprovision of the library in the replacement building.

The location of any library provision is determined by a number of factors including; the availability of suitable public space at an affordable rate; the needs and location of the local community and the proximity of the site to other libraries in the area. It is considered that the first floor site at Exebridges is not ideal in terms of having a first floor location (although this could be mitigated by a lift and good signage). Whilst it is stated that the site is well located for the shopping areas of St Thomas it is not in the heart of where many of the St Thomas library customer's live which performance data shows that many live further into the West Exe area. In addition, the site is within a mile of Exeter Central Library, the largest and busiest library in the County.

The Head of Services for Communities concludes that, at the time of the previous planning application, the proposed first floor site was acceptable as a new library site. However given the failure to agree an acceptable rent with the developer, there is a need to look for a permanent site elsewhere. In considering site option over the coming months the three factors previously stated, along with community feedback, will determine the final location. 'Because of the financial considerations, we (the County Council) will not now be considering the Exebridges Retail Park as one of the potential sites'.

PLANNING POLICIES/POLICY GUIDANCE

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

ST3 - Self Sufficiency of Devon's Communities

CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development

DG1 - Objectives of Urban Design

DG3 - Commercial Development

T3 - Encouraging Use of Sustainable Modes

S5 - Food and Drink

OBSERVATIONS

The original application (ref 09/1248/03) was refused in February 2010 on the basis that the loss of the existing library facility would result in the loss of a facility needed to support the community needs and provide a focus for community life. The Exeter Local Plan does identify libraries as one of a wide array of activities which serve community needs and provide a focus for community life. In addition, the Devon Structure Plan, Policies ST1 and ST3 seeks to ensure, in broad terms, that sustainable development objectives are met in respect of '*social and cultural needs, in terms of their range and scale - provided for in locations most accessible to those who need to use them*' and provide '*...a range of local services, and a mix of compatible uses in order to maximise accessibility and reduce the extent of travel*'. These Development Plan policies are still relevant and represent a material consideration against which this application which once again seeks the removal of a library service in this location should be assessed.

It is, however, relevant to acknowledge that the provision and management of the library services in Exeter is regulated by Devon County Council. At the time the initial application was considered (ref 09/1248/03) the County Library Department stated that there is a strong need for a library building in this location and wished to retain a library presence on the Exe Bridges Retail Park and therefore strongly opposed the planning application. These concerns were, in part, allayed when the application for the redevelopment of the site was approved (ref 09/2050/03) as it included the provision of a library use albeit at first floor level within the replacement building. The County Library Department commented at this time that they

considered that the revised plans more appropriately reflect the requirements of the library services needs, given that the first floor presence would likely to be considerably more affordable and sustainable in terms of a lease. In addition, it was considered that space would be much larger than the current library and therefore would offer the potential to expand and extend the range of services on offer.

It is clear from the most recent correspondence submitted by Devon County Council Library Services that the matter of library provision within St Thomas has been given considerable attention. However their conclusion states that '*...given the failure to agree an acceptable rent with the developer, there is a need to look for a permanent site elsewhere....because of the financial considerations we will not now be considering the Exe Bridge Retail Park as one of the potential sites*'. The key factor in the assessment of the application is whilst the planning powers of the City Council can ensure space is provided for a particular use, it has no power to insist that it is occupied for this purpose. Consequently without the specific support of the library service provider, it would be difficult to justify the refusal of the application, as there is no guarantee that this use would be re-established in this location.

It is therefore necessary to consider the merit of the application against other development plan policies. The proposal is for retail or restaurant use on the first floor of the replacement building. The site is located in the St Thomas District Centre and is therefore appropriate for A use classes provided that they do not harm the amenities of nearby residents or increase the potential for crime and anti social behaviour. It is therefore considered that the proposal for the change of use of the first floor from a library to either retail or restaurant is consistent with the Local Plan and appropriate in this location. Indeed given the fact that planning permission has previously been granted for the ground floor of the building for these uses means that it would be difficult to take a contrary view.

The proposal changes to the elevational treatment also requested as part of this application are considered acceptable and accordingly approval is recommended.

WESTERN AREA WORKING PARTY

Officers advised that a letter had been received from Devon County Library Services which stated that they were no longer looking to establish a library at this site. Members acknowledged that in planning policy terms it would be difficult to refuse a proposal for a retail/restaurant use given their comments.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) 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 13 September 2011 (dwg. nos.0900 00203 A, 1094/GA/10 rev D, 8672/20, 8672/21 and 8672/22) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 2) The first floor of the approved building shall be used for any purpose within Use Classes A1 (Retail) and A3 (Cafes and Restaurants).
Reason: To accord with the uses appropriate with the St Thomas District Centre.

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 9

ITEM NO.

9

COMMITTEE DATE:

16/01/2012

APPLICATION NO:

11/2053/26

DEVON COUNTY COUNCIL
CONSULTATION

APPLICANT:

Mr M Skinner
Devon County Council

PROPOSAL:

Change of use and internal refurbishment of empty former
shop building to convert for new library use

LOCATION:

35 Church Road, St. Thomas, Exeter, EX2 9AZ

REGISTRATION DATE:

20/12/2011

EXPIRY DATE:

10/01/2012



Scale 1:1250

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HISTORY OF SITE

In 2006 a planning application (planning ref 06/1701/03) to provide 10 residential units was refused because of overdevelopment of the site and an unacceptable impact on the character and appearance of the conservation area.

DESCRIPTION OF SITE/PROPOSAL

The application premises is located on the corner of Church Road and Cecil Road in St Thomas. This two storey building was previously used by St Thomas Stationers but has been vacant for several years.

It is proposed to convert the building into a library with access to the public on the ground floor with the first floor for staff use consisting of a small office, rest room and toilet facilities and an open plan area for the storage of books. There are no external changes proposed as part of this application with the existing shopfront, windows and entrance doors to be repaired, prepared and repainted only.

The premises is located within the Cowick Street Conservation Area and is identified as having a positive contribution to the character and appearance of the area.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The building is to be internally refurbished and fitted out to provide accommodation for a public library service. The public access will be limited to the main open planned ground floor area which has a ramped access to the main front door and the side double doors into courtyard area. It is the intention to make the front door fully automatic for ease of access for all users.

The first floor area accessed from single staircase is solely for staff use consisting of a small office, kitchenette/rest room and toilet facilities. The main open planned area is to be used for storage of books, etc.

There are no actual alterations proposed to the exterior of the building. The existing shopfront, windows and entrance door are to be repaired, prepared and repainted only.

New signage is required for the library, the intention is to provide new flat metal signs approx. 3 metres long by 300mm high saying "St Thomas Library". These would be mounted directly on the existing timber shop front canopy fascia to both front road elevations to cover up the existing painted signage "St Thomas Stationers".

The proposed refurbishment works do not involve any structural alterations to the building or drainage systems. Therefore, this together with the new use of the building will not have any material effect on the potential flood risk of the building. There are no specific flood proofing measures evident or proposed for the building except that there is a slight ramped access to the front entrance door, therefore the ground floor level is slightly higher than the pavement level adjoining the highway outside containing the mains drainage systems.

The lease for St Thomas Library at Exebridges expired in March 2011. DCC were unable to agree an affordable rent for library premises with the proposed development on Exebridges with the landlords and subsequently sought alternative interim accommodation to provide a continuation of service to the community whilst a more permanent location is sought. Terms have been agreed on the old stationers premises in Church Road which is close to the original Exebridges location and has nearby public parking. The library closed at Exebridges on 14 October and it is aimed to open on its new premises on 6 February.

The opening hours would be 9.30am to 6pm Monday to Friday and 9.30am to 1.30pm on Saturday.

A total of 4 full times employees would be created by this development.

PLANNING POLICIES/POLICY GUIDANCE

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

ST3 - Self Sufficiency of Devon's Communities

CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development

DG1 - Objectives of Urban Design

T3- Encouraging Use of Sustainable Modes

Exeter Core Strategy

CP10 - Meeting Community Needs

OBSERVATIONS

This is a County Council application for the conversion of the former St Thomas Stationers in Church Road for use as a public library. The application has been made to provide a continued library service in the West Exe area following the closure of the St Thomas Library last year. Whilst it was initially intended to provide a library facility within the first floor of the proposed new retail units which have been granted permission to replace the demolished former library building negotiating, regarding the lease arrangement have broken down. A detailed report on this matter can be found elsewhere on this agenda; planning application number 11/1533/03. Consequently alternative library provision is sought.

The Community Services section of the Exeter Local Plan First Review provides support for services which serve community needs and provides a focus for community life. Library provision clearly falls within this category and therefore the principle of such a use is to be supported. The emerging Exeter Core Strategy provides further guidance in Policy CP10 on this matter and states that '*facilities which serve neighbourhood needs should wherever possible, be located within or close to district centres or at locations easily accessible to the local community particularly by foot or bicycle*'. The site lies just outside the St Thomas District Centre and therefore satisfies this criteria. It is therefore considered that in terms of principle and location the premises represents a suitable site for this proposal and therefore is acceptable.

The premises is located within the Cowick Street Conservation Area and identified as a building which makes a positive contribution to the character and appearance of the area. The supporting information indicates that the proposal will result in the refurbishment and upgrading of the existing building's original external features. It is therefore considered that the occupation of the building and associated building improvement works will positively enhance the appearance of the building and is therefore to be welcomed.

RECOMMENDATION

That the City Council raise **NO OBJECTION** to the County Council's proposed change of use of the former St Thomas Stationers to a public library.

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 10

<u>ITEM NO.</u>	10	<u>COMMITTEE DATE:</u>	16/01/2012
<u>APPLICATION NO:</u>	11/1582/03	FULL PLANNING PERMISSION	
<u>APPLICANT:</u>	Guide Dogs for the Blind Association		
<u>PROPOSAL:</u>	Residential development consisting of ten detached dwellings, associated parking, garages and access.		
<u>LOCATION:</u>	Former Guide Dogs For The Blind Kennels, Exwick Lane, Exeter, EX4 2AR		
<u>REGISTRATION DATE:</u>	28/09/2011		
<u>EXPIRY DATE:</u>	28/12/2011		



Scale 1:2500

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UPDATE FROM PLANNING COMMITTEE DATED 5 DECEMBER 2011

At the previous Planning Committee Members requested a site visit to assess the proposed impact of the development on the surrounding area. During the visit Members noted the elevated location and long ranging views from and into the site. The close proximity of Exwick Heights School which lies immediately to the east of the site was also noted. Members commented on the potential for further development on the land to the west of the site which occupies a higher position than this site and has the same designation as an area of Landscape Setting in the Exeter Local Plan. Members were also concerned about the potential for traffic and parking congestion from the new housing in combination with traffic already created by the School given the existing nature of the this section of Exwick Lane.

HISTORY OF SITE

An outline planning application for the development of the former Guide Dogs Training Centre site was refused in September 2004 for 14 residential units (planning ref. 04/1237/01). A subsequent public inquiry was held in October 2005 and the appeal dismissed on the grounds that the proposal would be harmful to the landscape and contrary to the Exeter Local Plan Policy LS1.

DESCRIPTION OF SITE/PROPOSAL

The application site (0.61 ha) is located on the eastern side of Exwick Lane immediately to the western of the Exwick Heights school. The site was previously used for guide dog training purpose but has been unused for many years. It is occupied by kennels/runs, small ancillary buildings and comprises previously developed land.

It is proposed to redevelop the site for 10 detached dwellings (6 No. three bedrooms, 3 No. four bedrooms and 1 No. five bedrooms). All of the properties will have access to a single garage and parking spaces except the 5 bedroomed property which has a double garage. The properties are either single storey (3 units in total) single storey with rooms in the roof space (3 units in total) or two storey (4 units in total). All the dwellings would be constructed of brick, slate and timber windows with PV panels on the roof. The properties are arranged around two courtyards each containing 5 dwellings. Two new vehicular accesses are to be created onto Exwick Lane, one to serve each of the courtyard schemes. The courtyards would be surfaced with a combination of granite setts and gravel bonding. A landscaping scheme has been submitted with the application.

A footway link through the site which connects Exwick Lane to the school is located to the southern end of the site.

The application has been advertised as a proposed development which does not accord with the provisions of the Adopted Exeter Local Plan First Review 1995-2011

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Design and Access Statement, Tree Survey, Ecological Survey and Landscape Appraisal have been submitted with the application.

REPRESENTATIONS

2 letters of comment/objection have been received concerned about the increase in traffic attracted to the site and the consequential need to improve Exwick Lane possibly through a new pavement link to Peterborough Road. In addition, concern is raised over the adequacy of the parking provision for the new dwellings and potential for trespassing, loss of privacy and increased noise from the users of the new footway. In respect of the latter it is suggested that a possible solution would be to relocate the footway to between the two cul de sacs. However the letters were also supportive overall of the need for redevelopment of the site as it had become an eyesore.

CONSULTATIONS

The County Director of Environment, Economy and Culture comments that unfortunately no information has been provided as a basic estimate of the volume and character of the traffic that is likely to be generated and/or attracted to this site by the proposed development. In the absence of this information, some requirements and observations are recommended, to safely accommodate proposed traffic flows, when taking the existing highway characteristics and means of access into consideration:

1) Residential development comprising ten units is likely to attract and/or generate between fifty and seventy vehicle trips per day. It is essential that public/emergency service vehicles and delivery vehicles (including e-commerce deliveries) are provided with an adequate turning/manoeuvring area to minimise excessive reversing movements. The on-site access road/courtyard areas are not adequate to accommodate the turning/manoeuvring of these vehicles and to provide this essential facility it is recommended that the northern access junction is utilised for this purpose. Unfortunately, as part of this proposal, the bollards that prohibit vehicular access along Exwick Lane are shown in a new location immediately to the north of this access. To accommodate turning at the junction, the bollards will need to be relocated approximately ten metres to the north of the location illustrated on drawing DND-

03.01. To relocate the prohibition of driving area, the Traffic Order will require amendment at a cost of £1,500 which is to be secured by an appropriate agreement.

2) Visibility from and of emerging vehicles has not been provided at the junction of the southern Access Road with Exwick Lane. Visibility splays of 2.4 metres (minor road or 'x' distance) by 25 metres (major road or 'y' distance) in both directions are to be provided in accordance with details to be submitted to and approved by the Local Planning Authority. A condition is recommended to secure the provision of this safety feature.

3) A footpath link between Exwick Lane and the School, adjacent to the southern boundary of the site is welcomed. Unfortunately, the footway is only 1.2 metres wide and the lack of adequate visibility from and of pedestrians at the access to Exwick Lane is likely to result in pedestrian/vehicular conflict. A footpath width of 2.5 to 3 metres is recommended to accommodate pedestrian flow and a 'build out' of approximately 1.5 metres into the carriageway of Exwick Lane is recommended, as previously advised. A condition is recommended to secure the provision of these characteristics.

The Head of Environmental Health raises no objections subject to conditions in respect of hours of construction/demolition works and the submission of a contamination report.

The Police Architectural Liaison Officer comments that it is encouraging to see that the document Safer Places has been referred to within the Design and Access Statement and that further contact with the Police Architectural Liaison Officer will be sought. Detailed comments are made in respect of heights of boundary walls and gates for security and to aid natural surveillance; use of appropriate planting areas to create defensible space and prevent graffiti and loitering; and the need for additional windows to improve surveillance opportunities alongside the new footway to the school.

Strategic Planning Children's Services has requested a financial contribution of £18,180 towards education provision in Exeter.

PLANNING POLICIES/POLICY GUIDANCE

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

CO6 - Quality of New Development

TR2 - Coordination of Land Use/Travel Planning

TR5 - Hierarchy of Modes and Transport Assessment

TR7 - Walking and Cycling

Exeter Local Plan First Review 1995-2011

DG1 - Objectives of Urban Design

DG2 - Energy Conservation

DG4 - Residential Layout and Amenity

DG7 - Crime Prevention and Safety

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T10 - Car Parking Standards

'Residential Guide' Supplementary Planning Document adopted September 2010.

OBSERVATIONS

The previous application for residential development of 14 units was refused and subsequently dismissed in October 2005. The primary reason for the Inspector's decision was the impact of the proposal on the landscape being contrary to Local Plan policy which seeks to retain the landscape setting of the area. The site has remain vacant and unused

since this date although the new school, Exwick Heights has been built since the appeal was dismissed. It is considered that the construction of the school building has diminished the landscape value of the area and in effect the application site would now represent a rounding off of the built up area in this location. In addition, it is significant that the site has been included in the Council's Strategic Housing Land Availability Assessment (SHLAA) with a predicted capacity for 18 units since the original application. The site still lies within an area designated in the Exeter Local Plan as landscape setting, as indeed was the designation for the school site. However the identification of the site within the SHLAA does represent a material consideration as it provides a firm indication of development feasibility and deliverability whilst protecting environmental assets in the City. Since the previous refusal the applicant has sought to improve the landscape setting of the area by the removal of the leylandii hedge to the rear of the site and plant new trees on a neighbouring field which will eventually create a landscape backdrop to the site when seen from wider views. The combination of these changes since the previous appeal decision are significant and accordingly it is now considered that the principle of development for this brownfield site is appropriate. It is therefore considered that the detailed elements of the scheme in terms of layout, design, elevational treatment and highways require specific assessment.

In respect of the details, the proposal needs to be assessed against the principles contained with the Residential Design Supplementary Planning Document. The overall layout is based on the creation of two separate courtyard style developments each containing 5 detached dwellings with associated single or double garages. The northern courtyard layout, in particular, results in all properties facing inwards onto a substantial area of hardstanding which could potentially accommodate further parking if necessary. The southern courtyard layout follows a similar pattern but the inclusion of a footway link to the south of the site has resulted in Unit 10 being re-orientated to ensure natural surveillance is achieved towards this pedestrian link to the school. Whilst this does to a certain extent detract from the courtyard principle, its purpose is accepted as appropriate in this instance. Since the original submission there has been a reduction in the amount of hardstanding being proposed which is considered acceptable. In addition there has been an increase in the soft landscaped element both within the courtyards themselves and in particular alongside the road frontage. This has helped to harmonise the new development within this section of Exwick Lane and the established green character of this area. It should be noted that some of the hedges closest to the road are covered by group tree preservation order designation. It should also be noted that the creation of vehicular access into the southern courtyard will result in the removal of two oak trees protected by the TPOs. However the submitted Tree Survey does identify that these trees are in decline and it is recommended that they are substantially pruned or felled. Amended plans have been received which ensure that an appropriate amount of soft landscaping within the scheme has been achieved and imposition landscape and hedge retention conditions will provide the necessary detail and control to ensure that the scheme is appropriate to the rural characteristics of this lane.

In respect of the proposed dwellings it is noted that particular care has been given to the storey heights to ensure that they integrate successfully within the established landscape of the area. The sloping nature of the site has lead to the scheme being a combination of single storey properties at the northern end of the site to full height two storey properties at the southern end. This arrangement is directly related to the slope of the site from highest point in the north to a lower point in the south. This ensured that a reasonably consistent roof arrangement is maintained when seen from wider viewpoints. The combination of roof height, spacious plots and low density at approximately 16 dwellings per hectare has produced a development which is considered respectful of the rural backdrop against which this development would be viewed. The style of dwellings is traditional which is also reflected in the choice of materials namely brick, slate and timber windows. The use of PV panels on all the properties is positively encouraged to ensure that a sustainable development is created. The proposed dwellings largely meet the internal space standards required by the Residential Design Supplementary Planning Document as do the garages, bins and cycle storage. The proposed garden areas significantly exceed the required minimum level for all the units.

The closure of the Guide Dog Training Centre and introduction of the bollards to the north of the application site has resulted in this section of Exwick Lane being effectively car free for many years. The supporting information states that when operational the training centre had the capacity for 46 parking spaces within the site. However the introduction of residential use will inevitably bring about a different pattern of car movements and numbers than previously experienced at this site. Whilst the County Highway Officer raised no objection in principle, the detailed comments initially made were significant and required the submission of amended plans before the scheme could be considered acceptable. In particular, concern was raised in respect of the ability of emergency vehicles accessing the site within the initial highway layout submitted and the need to increase the width of the footway through the site. Amended plans have been received which address these concerns and subject to suitable conditions the County Highway Officer raise no objections.

In addition, the development would require a £3,500 financial contribution in lieu of an appropriate assessment to off set the impact of residential development against its impact on sites of strategic nature importance as supported by Natural England.

WESTERN AREA WORKING PARTY

Members were broadly supportive of the use of this vacant site for residential use. However concern was raised in respect of vehicular access given the existing problems of parking in nearby roads close to the school. In particular Members sought reassurance that emergency vehicles would be able to access the site given the narrowness of the existing lane. Members agreed with officers that the development should ensure that the established rural character of the area was maintained.

RECOMMENDATION

Subject to the completion of a Section 106 Agreement which requires a financial contribution to education (£18,010), traffic orders (£1,500) and Natura 2000 (£3,500), the application should be APPROVED.

In the event that the Section 106 Agreement is not completed within 6 months of the date of this committee meeting, authority be delegated to the Head of Planning and Building Control to REFUSE permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with by the Section 106 Agreement.

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) C43E - Retain Hedges
- 7) C70 - Contaminated Land
- 8) C57 - Archaeological Recording
- 9) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate

operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for the construction period.

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

- 10) Construction 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.
- 11) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following, as it relates to the office or residential building, have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - a) windows to include materials, means of opening, reveals, cills and headers;
 - b) external doors;
 - c) rainwater goods;
 - d) lighting;
 - e) treatment of boundaries;
Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.
- 12) No part of the development hereby approved shall be brought into its intended use and/or occupied until the on-site cycle and operational vehicle parking facilities have been provided, surfaced and marked out in accordance with the requirements of this permission and retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 13) Visibility splays shall be provided, laid out and maintained for that purpose at the southern site access to Exwick Lane, where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 25 metres in both directions.
Reason: To provide adequate visibility from and of emerging vehicles.
- 14) No part of the development hereby approved shall be occupied until the footway that is located adjacent to the southern boundary of the site together with a visibility build out facility at the junction with Exwick Lane have been provided in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for that purpose at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site, in the interests of public safety.

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 11

EXETER CITY COUNCIL

PLANNING COMMITTEE
16 JANUARY 2012

OBJECTIONS TO TREE PRESERVATION ORDER NO. 637 (WESTHAY, STREATHAM RISE, 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. 637 (Westhay, Streatham Rise, Exeter) 2011. The Committee is requested to determine whether to confirm, modify or refuse to confirm the Order.

2. BACKGROUND

2.1 This TPO protects one Eucalyptus tree in the front garden of Westhay, Streatham Rise, Exeter.

2.2 The TPO was made following email correspondence from a tree surgeon enquiring whether the tree was protected or not. The tree was not protected at the time of the enquiry. Due to the enormous size and high public visual amenity value of the tree, an emergency order was made to secure the tree.

2.3 The TPO was signed on 10 August 2011 and remains in force for a period of six months. If confirmed the TPO becomes permanent, if not it ceases to have effect.

3. POINTS RAISED BY THE OBJECTORS

3.1 A letter of objection has been received from the owner of Westhay and another from the owners of Archerfield, the neighbouring property.

3.2 The objections can be summarised as follows:

- The tree was planted by the owner in 1978 but “has grown out of proportion and expectation” and is now over 60 feet high. Good husbandry requires it to be topped.
- The tree overhangs Archerfield, dropping branches and debris which damages cars parked beneath, and blocks gutters and down pipes;
- The tree creates excessive shade, to the detriment of other trees and plants.
- The roots of the tree could potentially cause damage to the foundations of Archerfield and a major public sewage pipe nearby;
- The tree has a very limited amenity value as it can only be seen by a limited number of people.

4. OBSERVATIONS

4.1 • The tree is healthy and structurally sound. Every tree sheds materials such as branches, barks, leaves and seeds and creates shade. These are not reasons to withhold a TPO;

- There is no evidence that the tree has caused any damage to the neighbouring property and/or the public sewer;
- The tree has an obvious high visual amenity value due to its size and location.

5. NORTHERN AREA WORKING PARTY

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

6. RECOMMENDATION

6.1 It is recommended that TPO 637 be confirmed.

**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. Council to Exeter City Council Tree Preservation Order No 637 (Westhay, Streatham Rise, Exeter) 2011



Scale 1:1250



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09/08/2011

EXETER CITY COUNCIL TREE PRESERVATION ORDER 637 (Westhay, Streatham Rise, Exeter) 2011

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

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Exeter City Council

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Agenda Item 12

EXETER CITY COUNCIL
PLANNING COMMITTEE
16 JANUARY 2012

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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Exeter City Council

16/01/2012

**Planning Decisions Made Under Delegated Powers and
Withdrawn Applications Between 24/11/2011 and 04/01/2012**

ALPHINGTON

Application Number: 11/1522/03 **Working Party Date:** 15/11/2011
Decision Type Withdrawn by Applicant **Decision Date:** 02/12/2011
Location: The Old Stables, Balls Farm Road, Exeter, EX2 9JB
Proposal: Change of use from stables to dwelling including rooflights (4), garage and parking

Application Number: 11/3172/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 02/12/2011
Location: 6 Cowick Court, Exeter, EX2 9FE
Proposal: Tree No. Species Works
 T1 Acer Fell

Application Number: 11/1407/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/12/2011
Location: Site H Former Electricity Building, Haven Road, Exeter, EX2
Proposal: Discharge of Conditions 1, 2, 3, 4, 7, 8, 9, 10 & 11 for Planning Permission Ref No. 10/2024/03 granted 23/02/2011

Application Number: 11/1845/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 14/12/2011
Location: 9 Church Road, Alphington, Exeter, EX2 8SB
Proposal: Ground floor extension on north east elevation (Certificate of lawfulness for proposed development)

Application Number: 11/1453/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/12/2011
Location: The Hayloft, Balls Farm Road, Exeter, EX2 9RA
Proposal: Ground floor extension on east elevation with rooflights (2) on north elevation, partial removal of devon bank to northern boundary, decking to south elevation.

Application Number:	11/3194/04	Working Party Date:	
Decision Type	Withdrawn by Applicant	Decision Date:	22/12/2011
Location:	Cherry Barton, Cordery Road, Exeter, EX2		
Proposal:	Tree No. Species	Works	
	T1 Tulip	Reduce in height by 25%, reshape lateral branches made up to 5.8cm	
	by 0.6m to 0.9m cuts		
	T2 Wild Cherry	Reduce in height by 30%, reshape lateral branches made up to 7.6cm	
	by 1.2m to 1.5m cuts		
	T3 Copper Beech	Reduce by 25% and reshape by 0.6m to 0.9m	
	T4 Silver Birch	Reduce by 25% and reshape lateral branches by 0.9m to 1.2m	
	T5 Silver Birch	Reduce by 1.5m and reshape accordingly	
	T6 Silver Birch	Reduce by 1.5m and reshape accordingly	

Application Number:	11/1805/18	Working Party Date:	
Decision Type	Was lawful use	Decision Date:	29/11/2011
Location:	Unit 2, Stone Lane Retail Park, Marsh Barton Road, Marsh Barton Trading Estate, Exeter, EX2 8LH		
Proposal:	Use of part of the premises as pet care and treatment centre (Certificate of lawfulness for proposed use)		

COWICK

Application Number:	11/1630/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	02/12/2011
Location:	49 Myrtle Road, Exeter, EX4 1QA		
Proposal:	Two storey extension on south west elevation and ground floor extension on north west elevation		

Application Number:	11/1703/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	08/12/2011
Location:	50 Cowick Hill, Exeter, EX2 9NG		
Proposal:	Ground floor extension on north east elevation		

Application Number:	11/1705/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	64 Barley Lane, Exeter, EX4 1TA		
Proposal:	Two storey extension on the south elevation.		

Application Number:	11/3169/06	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	Pines, Little Johns Cross Hill, Exeter, EX2 9PJ		
Proposal:	Tree No. Species Works T1 Oak Crown lift T2 Oak Crown lift T3 Oak Crown reduction by 20% (withdrawn)		

Application Number:	11/1823/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	6 Vuefield Hill, Exeter, EX2 9NW		
Proposal:	Ground floor extension on north west elevation		

Application Number:	11/1794/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	20/12/2011
Location:	88 Broadway, Exeter, EX2 9LZ		
Proposal:	Ground and two storey extension on the north east elevation.		

Application Number:	11/1752/03	Working Party Date:	15/11/2011
Decision Type	Permitted	Decision Date:	30/11/2011
Location:	87 Cowick Lane, Exeter, EX2 9HG		
Proposal:	Double garage at south east corner of rear garden.		

DURYARD

Application Number:	11/3165/04	Working Party Date:	
Decision Type	Permitted	Decision Date:	25/11/2011
Location:	145 Pennsylvania Road, Exeter, EX4 6DZ		
Proposal:	Tree no. Species Works T1 Quercus ilex Crown lift to 5m T2 Thuja Remove two lowest branches		

Application Number:	11/1718/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	07/12/2011
Location:	8 High Croft, Exeter, EX4 4JQ		
Proposal:	Two storey extension on east and south elevations.		

Application Number: 11/1254/32	Working Party Date:
Decision Type	Permitted
Location:	Higher Duryard House, Higher Duryard, Pennsylvania Road, Exeter, EX4 5BQ
Proposal:	Discharge of Conditions 3, 4, 8 & 9 for Planning Permission Ref No. 10/0626/03 granted 29/10/2011

Application Number: 11/1594/32	Working Party Date:
Decision Type	Permitted
Location:	Birks Halls, New North Road, Exeter, EX4 4PQ
Proposal:	Discharge of Conditions 3, 4, 7, 8, 10, 12, 13 and 14 for Planning Permission Ref No. 09/0279/03 granted 29/04/2009

Application Number: 11/1669/03	Working Party Date: 14/11/2011
Decision Type	Permitted
Location:	Flat 6, Rose Duryard, Lower Argyll Road, Exeter, EX4 4PB
Proposal:	Installation of rooflights on south west (3) elevations and flat roof (1)

Application Number: 11/3167/04	Working Party Date:
Decision Type	Permitted
Location:	Timbers, Streatham Rise, Exeter, EX4 4PE
Proposal:	Tree No. Species Work T1 Ash Fell

Application Number: 11/1871/37	Working Party Date:
Decision Type	Permitted
Location:	Duryard Halls, Lower Argyll Road, Exeter, EX4 4RG
Proposal:	Alterations to reduce in size of bin store and relocate 12 cycle spaces around site. (Non material minor amendment to Planning Application Ref No. 09/0278/03 granted: 19/05/2009)

Application Number: 11/1872/37	Working Party Date:
Decision Type	Permitted
Location:	Field House, 21, Argyll Road, Exeter, EX4 4RX
Proposal:	Alteration to erect glazing on sun terrace on south elevation (Non material minor amendment to Planning Permission Ref No. 07/1788/03 granted: 03/10/2007 and Planning Permission Ref No. 10/1658/38 granted: 08/10/2010)

Application Number: 11/1702/03	Working Party Date: 14/11/2011
Decision Type	Refuse Planning Permission
Location:	Stable Building, Belle Vue Road, Exeter, EX4
Proposal:	Change of use and conversion from stables to dwelling and associated works

Application Number: 11/3171/06	Working Party Date:
Decision Type	Permitted
Location:	Upcot, Taddyforde Estate, Exeter, EX4 4AT
Proposal:	Tree No. Species Works T1 Holly Fell

EXWICK

Application Number: 11/1214/03	Working Party Date:
Decision Type	Permitted
Location:	19 St. Andrews Road, Exeter, EX4 2AA
Proposal:	Two storey extension and verandah on west elevation and enclosure of porch on east elevation

Application Number: 11/1793/18	Working Party Date:
Decision Type	Was lawful use
Location:	7 Guildford Close, Exeter, EX4 2HX
Proposal:	Ground floor extension on the north elevation.(Certificate of lawfulness of proposed development)

HEAVITREE

Application Number: 11/1824/03	Working Party Date:
Decision Type	Permitted
Location:	Heavitree Health Centre, South Lawn Terrace, Exeter, EX1 2RX
Proposal:	43 solar panels on south elevation

Application Number: 11/1708/03	Working Party Date: 14/12/2011
Decision Type	Permitted
Location:	6 Shelton Place, North Street, Heavitree, Exeter, EX1 2RE
Proposal:	Ground and first floor extensions on west elevation

Application Number:	11/1494/03	Working Party Date:	16/11/2011
Decision Type	Refuse Planning Permission	Decision Date:	19/12/2011
Location:	17 Roseland Crescent, Exeter, EX1 2TJ		
Proposal:	Change of use from dwelling to flat and maisonette, first floor extension and decking with stairs on north elevation, steps on south elevation and associated works		

Application Number:	11/1770/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	8 Roseland Avenue, Exeter, EX1 2TW		
Proposal:	Ground floor extension on west elevation and replacement garage on west boundary		

Application Number:	11/3177/06	Working Party Date:	
Decision Type	Permitted	Decision Date:	20/12/2011
Location:	Livery Dole Almshouses, Magdalen Road, Exeter, EX2		
Proposal:	Tree no. Species	Work	
	T1 Lawson	Fell	
	T2 Viburnum	Reduce size by 40%	
	T3 Pittosporum	Trim to rounded shape	
	T4 Pittosporum	Reduce height by 3m, trim to shape	
	T5 Small Bay	Fell	
	T6 Raywood Ash	Remove split and hanging branches, remove branches to give clearance to	telephone wire
	T7 Atlantic Cedar	Remove branches to give clearance to telephone wire	
	T8 Raywood Ash	Remove branches to give clearance to telephone wire	
	T9 Atlantic Cedar	Raise canopy to 2m above ground level.	

MINCINGLAKE

Application Number:	11/1719/32	Working Party Date:	
Decision Type	Split Decision	Decision Date:	02/12/2011
Location:	Westwood House, 132 Beacon Lane, Exeter, EX4 8LX		
Proposal:	Discharge of Condition 10 for Planning Permission Ref No. 11/1135/03 granted 24/08/2011		

Application Number:	11/1726/03	Working Party Date:	12/12/2011
Decision Type	Permitted	Decision Date:	16/12/2011
Location:	73 Pinwood Meadow Drive, Exeter, EX4 9LB		
Proposal:	First floor extension on east elevation and ground floor extension to create garage on south elevation		

Application Number:	11/1917/03	Working Party Date:	
Decision Type	Withdrawn by Applicant	Decision Date:	20/12/2011
Location:	30 Woolsey Avenue, Exeter, EX4 8BJ		
Proposal:	Replacement conservatory on south elevation		

NEWTOWN

Application Number:	11/1771/37	Working Party Date:	
Decision Type	Permitted	Decision Date:	02/12/2011
Location:	Elmside House, Elmside, Exeter, EX4 6LR		
Proposal:	Alterations to windows and change to Code 3 of the Code for Sustainable Homes (Non-material minor amendment to planning application ref no:11/0620/03 approved 29 July 2011)		

Application Number:	11/3174/06	Working Party Date:	
Decision Type	Permitted	Decision Date:	02/12/2011
Location:	94 Old Tiverton Road, Exeter, EX4 6LQ		
Proposal:	Tree No. Species Works T1 Rowan Reduction of crown T2 Plum Reduction of crown		

Application Number:	11/1739/32	Working Party Date:	
Decision Type	Permitted	Decision Date:	07/12/2011
Location:	Townsend Printers, Western Way, Exeter, EX1		
Proposal:	Discharge of Conditions 4, 6, 7, 11, 12, 15, 16 and 17 for Planning Permission Ref No. 11/0140/03 granted 30/08/2011		

Application Number:	11/1658/03	Working Party Date:	16/11/2011
Decision Type	Refuse Planning Permission	Decision Date:	14/12/2011
Location:	112 Old Tiverton Road, Exeter, EX4 6LD		
Proposal:	Change of use from house in multiple occupation (C4) to three self contained flats, dormer window and replacement ground floor/two storey extension on south east elevation, and associated works		

Application Number:	11/1959/32	Working Party Date:	
Decision Type	Permitted	Decision Date:	16/12/2011
Location:	Townsend Printers, Western Way, Exeter, EX1		
Proposal:	Discharge of Condition 3 for Planning Permission Ref No. 11/0140/03 granted: 30 08 2011		

Application Number: 10/1214/03	Working Party Date:
Decision Type	Permitted
Location:	Belmont Lodge, Blackboy Road, Exeter, EX4 6SS
Proposal:	Refurbishment of garden sheds including increased roof height to both, replacement single window on north elevation and new windows (2) on west elevation.
Application Number: 11/1562/03	Working Party Date: 14/12/2011
Decision Type	Withdrawn by Applicant
Location:	16, Blackboy Road, Exeter, EX4 6SW
Proposal:	Change of use from retail to hot food takeaway
Application Number: 11/1852/05	Working Party Date:
Decision Type	Permitted
Location:	Former Focus, Cheeke Street, Exeter, EX1 2DD
Proposal:	Internally illuminated fascia sign and projecting sign on south west elevation, non illuminated fascia signs on south (1), south east (1) and north east (2) elevations
Application Number: 11/3178/06	Working Party Date:
Decision Type	Permitted
Location:	Grendon Almshouses, Grendon Road, Exeter, EX1
Proposal:	Tree no. Species Work T1 Laurel Reduce to 3ft high stump
Application Number: 11/3183/06	Working Party Date:
Decision Type	Permitted
Location:	13 Belmont Road, Exeter, EX1 2HF
Proposal:	Tree No. Species Work T1 Willow Remove
Application Number: 11/1763/03	Working Party Date:
Decision Type	Refuse Planning Permission
Location:	29 Codrington Street, Exeter, EX1 2BU
Proposal:	Ground and first floor extension on north west elevation

Application Number:	11/1591/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	29/11/2011
Location:	8 Grosvenor Place, Exeter, EX1 2HJ		
Proposal:	Dormer window on south west elevation, rooflights on north east (2) and south west (1) elevations and replacement double doors on north west elevation		

Application Number:	11/1757/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	29/11/2011
Location:	6 Alexandra Terrace, Exeter, EX4 6SY		
Proposal:	Covered walkway on north elevation and rooflight on south elevation		

Application Number:	11/1727/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	30/11/2011
Location:	23 Portland Street, Exeter, EX1 2EG		
Proposal:	Ground floor extension on north east elevation		

PENNSYLVANIA

Application Number:	11/1923/32	Working Party Date:	
Decision Type	Permitted	Decision Date:	01/12/2011
Location:	Springbank, Beech Avenue, Exeter, EX4 6HE		
Proposal:	Discharge of Conditions 3 and 4 for Planning Permission Ref No. 11/0489/03 granted 16/05/2011		

Application Number:	11/1740/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	08/12/2011
Location:	198 Pennsylvania Road, Exeter, EX4 6DZ		
Proposal:	Ground floor extension on east elevation		

Application Number:	11/1799/17	Working Party Date:	12/12/2011
Decision Type	Was lawful use	Decision Date:	14/12/2011
Location:	107 Mincinglake Road, Exeter, EX4 7DU		
Proposal:	Ground floor extension on south west elevation (Certificate of lawfulness of existing development)		

Application Number: 11/1580/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 19/12/2011
Location: Stoke Hill Middle School, Stoke Hill, Exeter, EX4 7DP
Proposal: Photovoltaic panels (30) on south east facing roof

Application Number: 11/1725/03 **Working Party Date:** 12/12/2011
Decision Type Refuse Planning Permission **Decision Date:** 20/12/2011
Location: 60-66 Union Road, Exeter, EX4 6HU
Proposal: Two storey extension on east elevation, alterations and improvements

Application Number: 11/1990/07 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 03/01/2012
Location: 60-66 Union Road, Exeter, EX4 6HU
Proposal: Demolition of lean to extension and replacement two storey extension on east elevation, alterations and improvements

PINHOE

Application Number: 11/1775/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/12/2011
Location: Flats 1 & 2, 10 Priestley Avenue, Exeter, EX4
Proposal: Discharge of conditions 4 and 6 for Planning Permission 08/2069/03 granted 02 03 2009

Application Number: 11/1790/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/12/2011
Location: 497 Pinhoe Road, Exeter, EX4 8HL
Proposal: Ground floor extension on south east elevation

Application Number: 11/1801/03 **Working Party Date:** 12/12/2011
Decision Type Permitted **Decision Date:** 16/12/2011
Location: 42 Park Lane, Exeter, EX4 9HP
Proposal: Ground floor extension on north elevation and two storey extension including garage on east elevation

Application Number:	11/1896/01	Working Party Date:	
Decision Type	Withdrawn Returned (unlikely to be granted)	Decision Date:	22/12/2011
Location:	Land to north of Exhibition Way, Exeter, EX4		
Proposal:	13 permanent gypsy and traveller pitches together with associated amenity space, open space, landscaping and associated infrastructure (all matters apart from access reserved for future consideration)		

Application Number:	11/3170/04	Working Party Date:	
Decision Type	Permitted	Decision Date:	25/11/2011
Location:	12 Steps Close, Exeter, EX1 3PH		
Proposal:	Tree No. Species Work T1 Oak Raise crown by 1.2m to 1.5m, remove 2 lower branches on north east side, Shorten back secondary and tertiary branches by 0.9m to 1.2m.		

POLSLOE

Application Number:	11/1764/17	Working Party Date:	
Decision Type	Was lawful use	Decision Date:	14/12/2011
Location:	81 Monks Road, Exeter, EX4 7BE		
Proposal:	Use of property as a house in multiple occupation (Certificate of lawfulness for existing use)		

Application Number:	11/1932/37	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	Morrisons Supermarket, Prince Charles Road, Exeter, EX4 7BY		
Proposal:	Alteration of surface outside front entrance on north east elevation from block paving to tarmac (Non-Material Minor Amendment to Planning Permission Ref No. 09/1592/03)		

Application Number:	11/3187/06	Working Party Date:	
Decision Type	Permitted	Decision Date:	20/12/2011
Location:	7 Mont Le Grand, Exeter, EX1 2PD		
Proposal:	Tree No. Species Works T1 Weeping Willow Tree to be re-pollarded		

PRIORY

Application Number:	11/1720/32	Working Party Date:	
Decision Type	Permitted	Decision Date:	02/12/2011
Location:	St. Loye's Foundation, Topsham Road, Exeter, EX2		
Proposal:	Discharge of Conditions 6, 8, 9, 11, 12, 14, 25, 26, 28 and 29 for Planning Permission Ref No. 09/0832/01 granted 24/09/2010 and Discharge of Condition 3 for Planning Permission Ref No. 10/1893/02 granted 19/02/2011		

Application Number: 11/1294/07	Working Party Date:
Decision Type	Permitted
Location:	187 Topsham Road, Exeter, EX2 6AN
Proposal:	Ground floor infill extension, re-render and insulate existing first floor extension on north east elevation.

Application Number: 11/1293/03	Working Party Date: 14/12/2011
Decision Type	Permitted
Location:	Old Tax Office, Countess Wear Road, Exeter, EX2 6LR
Proposal:	Redevelopment to provide three detached dwellings, access to highway and associated works.

Application Number: 11/1873/03	Working Party Date:
Decision Type	Permitted
Location:	Burnside, 384A Topsham Road, Exeter, EX2 6HE
Proposal:	Ground floor extension on north east and south west elevations and first floor extension on south east elevation.

Application Number: 11/1402/03	Working Party Date: 12/10/2011
Decision Type	Refuse Planning Permission
Location:	Riverside Cottage, Glasshouse Lane, Exeter, EX2 7BZ
Proposal:	Detached dwelling in north west garden area of Riverside Cottage.

ST DAVIDS

Application Number: 11/1804/32	Working Party Date:
Decision Type	Permitted
Location:	Exeter College of Further Education, Hele Road, Exeter, EX4 4JS
Proposal:	Discharge of Condition 3 for Planning Permission Ref No. 11/0605/03 granted 15 06 2011

Application Number: 11/1876/37	Working Party Date:
Decision Type	Withdrawn Returned (unlikely to be granted)
Location:	Exeter Community Centre, 17 St. Davids Hill, Exeter, EX4 3RG
Proposal:	Replacement of first floor bay structure on north west elevation (Non-Material Minor Amendment to Planning Permission Ref No. 10/1453/03 granted 21 01 2011)

Application Number: 11/1807/05	Working Party Date:		
Decision Type	Permitted	Decision Date:	06/12/2011
Location:	22 Cathedral Yard, Exeter, EX1 1HB		
Proposal:	Non-illuminated hanging sign on south elevation.		
Application Number: 11/1806/32	Working Party Date:		
Decision Type	Permitted	Decision Date:	07/12/2011
Location:	14 Mary Arches Street, Exeter, EX4 3AZ		
Proposal:	Discharge of conditions 3, 4 & 5 to Planning Permission ref. 10/1426/03 granted 27 04 2011		
Application Number: 11/1563/03	Working Party Date: 14/11/2011		
Decision Type	Permitted	Decision Date:	08/12/2011
Location:	12 Queens Terrace, Exeter, EX4 4HR		
Proposal:	Change of use from hotel to house in multiple occupation		
Application Number: 11/1560/03	Working Party Date: 14/11/2011		
Decision Type	Permitted	Decision Date:	08/12/2011
Location:	5 Bystock Terrace, Exeter, EX4 4HY		
Proposal:	Change of use from hotel to house in multiple occupation		
Application Number: 11/1605/03	Working Party Date: 15/11/2011		
Decision Type	Withdrawn by Applicant	Decision Date:	09/12/2011
Location:	Magnolia House and Acacia House, Friars Green, Exeter, EX2 4DB		
Proposal:	Sub division of two existing dwellings to create four new dwellings with associated internal and external works, construction of two new dwellings to south east corner of site, new access road, parking and bin storage.		
Application Number: 11/1606/07	Working Party Date: 15/11/2011		
Decision Type	Withdrawn by Applicant	Decision Date:	09/12/2011
Location:	Magnolia House and Acacia House, Friars Green, Exeter, EX2 4DB		
Proposal:	Sub division of two existing dwellings to create four new dwellings with associated internal and external works, construction of two new dwellings to south east corner of site, new access road, parking and bin storage.		

Application Number: 11/1475/32	Working Party Date:
Decision Type	Permitted
Location:	Former Gaytons Service Station, Western Way, Exeter, EX1 1HH
Proposal:	Discharge of Conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 for Planning Permission Ref No.10/1472/03 granted on 16/11/2010

Application Number: 11/1517/05	Working Party Date: 14/11/2011
Decision Type	Permitted
Location:	Royal Albert Memorial Museum, Queen Street, Exeter, EX4 3RX
Proposal:	Non-illuminated event board (4) on south west elevation and south east and north east garden entrances, pole mounted double sided banner (2) on south west elevation and wall mounted banner (3) on north east elevation, entrance sign on south west elevation (2), south west (Gandy Street entrance) elevation, north east (garden entrance) elevation, directional sign on south east elevation (facing Gandy Street), entrance vinyl at south west / Gandy Street entrance, accessible lift sign at south west / Queen Street entrance, disabled parking sign (2) adjacent to eastern boundary.

Application Number: 11/1714/03	Working Party Date:
Decision Type	Permitted
Location:	32-33, Gandy Street, Exeter, EX4 3LT
Proposal:	Change of use from retail (ground floor) and office (first floor) to cafe/restaurant and installation of shopfront

Application Number: 11/1370/05	Working Party Date: 12/12/2011
Decision Type	Split Decision
Location:	223 High Street, Exeter, EX4 3RH
Proposal:	Internally illuminated high level fascia sign on south east, south west and north west elevations, delivery sign on north east elevation and promotional/directional/welcome vinyls on south east (4), south west (5), north west (1), and west (1) elevations

Application Number: 11/1722/03	Working Party Date:
Decision Type	Permitted
Location:	16 Waterbeer Street, Exeter, EX4 3EH
Proposal:	Replacement external staircase on north east elevation

Application Number: 11/1768/17	Working Party Date:
Decision Type	Was lawful use
Location:	7 Richmond Court, St. Davids Hill, Exeter, EX4 3RA
Proposal:	Use of property as a house in multiple occupation (Certificate of lawfulness for existing use)

Application Number: 11/1769/17	Working Party Date:
Decision Type	Was lawful use
Location:	6 Richmond Court, St. Davids Hill, Exeter, EX4 3RA
Proposal:	Use of property as a house in multiple occupation (Certificate of lawfulness for existing use)

Application Number: 11/1883/05	Working Party Date:
Decision Type	Permitted
Location:	21 Gandy Street, Exeter, EX4 3LS
Proposal:	Non illuminated fascia sign, non illuminated projecting sign and two internally illuminated menu boxes on south west elevation

Application Number: 11/1543/05	Working Party Date:
Decision Type	Split Decision
Location:	Havana, 38 Commercial Road, Exeter, EX2 4AE
Proposal:	Non-illuminated double sided projecting sign on north elevation, non-illuminated fascia sign on west elevation and balcony east and west elevations, non-illuminated fascia sign on balcony south elevation, non-illuminated lettering sign on south elevation.

Application Number: 11/3192/06	Working Party Date:
Decision Type	Withdrawn by Applicant
Location:	Mermaid Court, King Street, Exeter, EX1
Proposal:	Tree No. Species Works
	T1 Sycamore Pollard to two feet above main bowl of the tree
	T2 Sycamore Pollard to two feet above main bowl of the tree
	T3 Silver Birch Reduce in height by 25% and reshape crown to balance
	T4 Silver Birch Reduce in height by 25% and reshape crown to balance

Application Number: 11/1847/03	Working Party Date:
Decision Type	Withdrawn by Applicant
Location:	20 Palace Gate, Exeter, EX1 1JA
Proposal:	Garden shed to south east of property.

Application Number: 11/1848/07	Working Party Date:
Decision Type	Withdrawn by Applicant
Location:	20 Palace Gate, Exeter, EX1 1JA
Proposal:	Garden shed to south east of property.

Application Number: 11/1631/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 28/11/2011
Location: 89 South Street, Exeter, EX1 1EQ
Proposal: Change of use from shop to financial and professional services

Application Number: 11/1691/01 **Working Party Date:**
Decision Type Permitted **Decision Date:** 28/11/2011
Location: 30 Southernhay East, Exeter, EX1 1NS
Proposal: Change of use of first floor suite from Business to Business and Medical.

Application Number: 11/1706/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 28/11/2011
Location: 1 Isambard Parade, Exeter, EX4 4BX
Proposal: Change of use from launderette to cafe

Application Number: 11/1710/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 30/11/2011
Location: 5 High Street, Exeter, EX4 3LF
Proposal: Change of use of pavement to outdoor seating area.

ST JAMES

Application Number: 11/1028/03 **Working Party Date:** 14/11/2011
Decision Type Permitted **Decision Date:** 25/11/2011
Location: 2 Devonshire Place, Exeter, EX4 6JA
Proposal: Variation of condition 3 (car free status) to allow 4 parking permits for the property (Ref No. 11/0199/03 granted 17 May 2011)

Application Number: 11/0582/05 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 06/12/2011
Location: Devon & Exeter Squash Club, Prince Of Wales Road, Exeter, EX4 4PR
Proposal: Non illuminated fascia sign on north east elevation.

Application Number: 11/1572/14 **Working Party Date:** 14/11/2011
Decision Type Permitted **Decision Date:** 06/12/2011
Location: 3 Well Street, Exeter, EX4 6QR
Proposal: Demolition of garage

Application Number: 11/1571/03 **Working Party Date:** 14/11/2011
Decision Type Permitted **Decision Date:** 08/12/2011
Location: 3 Well Street, Exeter, EX4 6QR
Proposal: Redevelopment of existing garage to provide three storey building comprising two retail units with two residential apartments above and associated works

Application Number: 08/0659/03 **Working Party Date:** 28/04/2008
Decision Type Withdrawn by Applicant **Decision Date:** 14/12/2011
Location: 1-11 Sidwell Street, Exeter, EX4 6NW
Proposal: Change of use of 2nd-7th floors (inclusive) from retail (Class A1) to 96 self-contained flats (Class C3), pedestrian access to highway and associated works

Application Number: 11/1765/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 14/12/2011
Location: Meadow House, 17-18 Howell Road, Exeter, EX4 4LG
Proposal: Installation of telecommunication receiver box on south elevation

Application Number: 11/3180/06 **Working Party Date:**
Decision Type Withdrawn Returned (unlikely to be implemented) **Decision Date:** 14/12/2011
Location: Kingsgate, Pennsylvania Road, Exeter, EX4 6PU
Proposal: Tree no. Species Works
 T1 Sweet Gum Reduction of crown by 30%

Application Number: 11/1509/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/12/2011
Location: 9a, St. James Road, Exeter, EX4 6PU
Proposal: Enlarging of existing car hardstanding and access to highway

Application Number: 11/1650/03 **Working Party Date:** 16/12/2011
Decision Type Refuse Planning Permission **Decision Date:** 16/12/2011
Location: 51 Howell Road, Exeter, EX4 4HA
Proposal: Dormer window on east elevation

Application Number: 11/1735/03 **Working Party Date:** 25/11/2011
Decision Type Permitted **Decision Date:** 25/11/2011
Location: Exeter Seventh Day Adventist Church, King William Street, Exeter, EX4 6PD
Proposal: Replacement roof.

Application Number: 11/1499/03 **Working Party Date:** 14/11/2011
Decision Type Permitted **Decision Date:** 28/11/2011
Location: 49 Sidwell Street, Exeter, EX4 6NS
Proposal: Variation of condition 7 (opening hours) to allow 24 hour delivery service (Ref No. 98/0849/03 granted 11/08/1999)

ST LEONARDS

Application Number: 11/3175/06 **Working Party Date:** 02/12/2011
Decision Type Permitted **Decision Date:** 02/12/2011
Location: 19 St. Leonards Avenue, Exeter, EX2 4DL
Proposal: Tree No. Species Works
T1 Copper Beech Pruning of tree overhanging south east boundary.

Application Number: 11/1676/03 **Working Party Date:** 13/12/2011
Decision Type Permitted **Decision Date:** 13/12/2011
Location: 17 Barnardo Road, Exeter, EX2 4ND
Proposal: Ground floor replacement windows

Application Number: 11/1766/03 **Working Party Date:** 13/12/2011
Decision Type Permitted **Decision Date:** 19/12/2011
Location: 3 St. Leonards Place, Exeter, EX2 4LZ
Proposal: Change of use from school to residential

Application Number:	11/1808/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	72 Wonford Road, Exeter, EX2 4LJ		
Proposal:	Replacement garage including cycle store and link to house and alterations to hardstanding to south west of property		

Application Number:	11/3179/06	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	Magdalen Court School, Victoria Park Road, Exeter, EX2 4NU		
Proposal:	Tree no. Species Work T1 Horse Chestnut Removal of stem overhanging road.		

Application Number:	11/3176/06	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	1 The Quadrant, Exeter, EX2 4LE		
Proposal:	Tree no. Species Work T1 Conifer Fell		

Application Number:	11/3181/06	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	Exeter School, Victoria Park Road, Exeter, EX2 4NS		
Proposal:	Tree no. Species Works T1 Walnut Fell T2 Monterey Pine Reduction of branches by 2-3m T3 Cedar Reduction of limbs by 2m up to 12m in height and minor thinning to the crown (Proposal withdrawn)		

Application Number:	11/3182/06	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	Trenton, Matford Road, Exeter, EX2 4PE		
Proposal:	Tree No. Species Works T1 Sycamore Pollard at 3.5m T2 Plum Remove branch growing over corner of garage		

Application Number:	11/1853/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	20/12/2011
Location:	Exeter Gymnastics Club, Bull Meadow Park, Bull Meadow Road, Exeter, EX2 4JF		
Proposal:	Variation of Conditions 2 to approve amended drawing with amended glazed screen, omission of rooflight and adjustment to south elevation and removal of Condition 6. (Ref No 10/2029/03 approved 20 April 2011)		

Application Number: 11/1870/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/12/2011
Location: 52 Gras Lawn, Exeter, EX2 4SZ
Proposal: Installation of solar panels (12) on south west roof elevation.

Application Number: 11/1900/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/12/2011
Location: 51 Gras Lawn, Exeter, EX2 4SZ
Proposal: Installation of solar panels (12) on south west roof elevation.

Application Number: 11/3168/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 25/11/2011
Location: 15 Victoria Park Road, Exeter, EX2 4NT
Proposal: Tree No. Species Work
 T1 Oak Removal of a branch growing over road

Application Number: 11/1699/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 29/11/2011
Location: 68 Wonford Road, Exeter, EX2 4LJ
Proposal: Conversion of internal garage to reception room on south west elevation
(Certificate of lawfulness for proposed development)

ST LOYES

Application Number: 11/1930/03 **Working Party Date:**
Decision Type Permission not required **Decision Date:** 01/12/2011
Location: The Willows, Ludwell Lane, Exeter, EX2 5AQ
Proposal: Installation of solar PV panels on roof of dwelling

Application Number: 11/1429/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 19/12/2011
Location: 55 Lewis Crescent, Exeter, EX2 7TD
Proposal: Conversion of garage to dining room including window on south east elevation
and workshop to north east of property

Application Number: 11/1761/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 19/12/2011
Location: Treburtha, Woodwater Lane, Exeter, EX2 5AW
Proposal: Variation of conditions 2, 13 and 15 to amend site entrance (Ref No. 10/0213/03 approved 21 May 2010)

Application Number: 11/1782/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 19/12/2011
Location: 60 Heraldry Way, Exeter, EX2 7RA
Proposal: Ground floor extension on north west elevation.

Application Number: 11/1859/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 19/12/2011
Location: 20 Grainger Close, Exeter, EX2 5RL
Proposal: Ground floor extension on north east elevation (Certificate of lawfulness for proposed development)

Application Number: 11/1815/03 **Working Party Date:** 14/12/2011
Decision Type Refuse Planning Permission **Decision Date:** 22/12/2011
Location: Land at entrance to Exeter Arms Hotel, Sidmouth Road, Exeter, EX2
Proposal: Change of use to hand car wash with associated parking and office

Application Number: 11/1581/03 **Working Party Date:** 16/11/2011
Decision Type Permitted **Decision Date:** 28/11/2011
Location: 14 Headingley Close, Exeter, EX2 5UH
Proposal: Detached outbuilding in north east area of garden

Application Number: 11/1597/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 29/11/2011
Location: 35 Broadfields Road, Exeter, EX2 5RF
Proposal: Replacement ground floor extension on south east elevation

ST THOMAS

Application Number:	11/1649/17	Working Party Date:	
Decision Type	Was lawful use	Decision Date:	19/12/2011
Location:	1 St. Thomas Centre, Exeter, EX4 1DG		
Proposal:	Storage container at rear of store on north west boundary (Certificate of lawfulness for existing use)		

Application Number:	11/1818/05	Working Party Date:	
Decision Type	Permitted	Decision Date:	19/12/2011
Location:	Okehampton Road Post Office, 107 Okehampton Road, Exeter, EX4 1EP		
Proposal:	Non-illuminated fascia sign on the north elevation.		

Application Number:	11/1788/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	20/12/2011
Location:	19 Princes Street North, Exeter, EX2 9AL		
Proposal:	Installation of solar pv panels (8) on flat roof to north east of property.		

Application Number:	11/1697/03	Working Party Date:	15/11/2011
Decision Type	Permitted	Decision Date:	28/11/2011
Location:	17 Cambridge Street, Exeter, EX4 1BY		
Proposal:	Conversion of single dwelling into 2 one-bedroom flats and ground floor extension to the south elevation.		

Application Number:	11/1570/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	30/11/2011
Location:	37 Beaufort Road, Exeter, EX2 9AB		
Proposal:	First floor extension on north east elevation.		

TOPSHAM

Application Number:	11/1776/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	30/11/2011
Location:	2 Liberty Way, Exeter, EX2 7AS		
Proposal:	Conservatory on south east elevation		

Application Number: 11/3173/06	Working Party Date:
Decision Type	Permitted
Location:	2 Strand View, Topsham, Exeter, EX3 0AU
Proposal:	Tree No. Species Works T1 Leyland Cypress Fell
Application Number: 11/1918/37	Working Party Date:
Decision Type	Permitted
Location:	5 White Street, Topsham, Exeter, EX3 0AA
Proposal:	Alterations to position, depth, shape and external appearance of extension (Non-material minor amendment to Planning Permission Ref No. 09/0351/03 granted: 23 04 2009)
Application Number: 11/1733/37	Working Party Date:
Decision Type	Permitted
Location:	6 Old Rydon Ley, Exeter, EX2 7UA
Proposal:	Alteration to roof on west elevation to incorporate a small gable pitch roof over front entrance door. (Non-material minor amendment to planning application 10/0589/03 granted 10/06/2010)
Application Number: 11/1783/07	Working Party Date:
Decision Type	Permitted
Location:	48 The Strand, Topsham, Exeter, EX3 0AS
Proposal:	Alteration to existing kitchen layout by relocating ground floor w/c and associated internal walls, install range-style cooker utilising existing flue.
Application Number: 11/1774/07	Working Party Date:
Decision Type	Permitted
Location:	77 Fore Street, Topsham, Exeter, EX3 0HQ
Proposal:	Internally illuminated poster frames (2) mounted inside the windows and illuminated external ATM on the north east elevation.
Application Number: 11/1785/03	Working Party Date:
Decision Type	Refuse Planning Permission
Location:	3 Tresillian Cottages, Topsham, Exeter, EX3 0BD
Proposal:	Two storey extension on north east elevation and ground floor extension on south east elevation.

Application Number: 11/1802/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 14/12/2011
Location: Raleigh Hall, Fore Street, Topsham, Exeter, EX3 0HU
Proposal: Minor internal alterations to ground floor to facilitate change of use from offices to dwelling.

Application Number: 11/1711/03 **Working Party Date:** 14/12/2011
Decision Type Permitted **Decision Date:** 16/12/2011
Location: 12 Grove Hill, Topsham, Exeter, EX3 0EG
Proposal: Ground floor extension on west elevation.

Application Number: 11/1616/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 19/12/2011
Location: 3 Majorfield Road, Topsham, Exeter, EX3 0ES
Proposal: Replacement porch on south east elevation

Application Number: 11/1772/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 19/12/2011
Location: 77 Fore Street, Topsham, Exeter, EX3 0HQ
Proposal: Internally illuminated poster frames (2) mounted inside the windows and illuminated external ATM on the north east elevation.

Application Number: 11/1827/03 **Working Party Date:** 14/12/2011
Decision Type Permitted **Decision Date:** 19/12/2011
Location: Former Royal Naval Store Depot, Topsham Road, Exeter, EX2 7AH
Proposal: Six additional allocated on street parking spaces for plots 84-89

Application Number: 11/1893/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 19/12/2011
Location: Former Royal Naval Store Depot, Topsham Road, Exeter, EX2 7AH
Proposal: Alterations to remove footpath in lieu of verge and move boundary wall on plot 164 and move boundary wall on plot 163. (Non-Material Minor Amendment to Planning Permission Ref No. 10/0602/03 granted 14 June 2010)

Application Number: 11/3186/06	Working Party Date:
Decision Type	Permitted
Location:	Altamira, Topsham, Exeter, EX3 0AQ
Proposal:	Tree No. Species Works T1 Portugese Laurel Fell
Application Number: 11/1897/05	Working Party Date: 14/12/2011
Decision Type	Permitted
Location:	Plants Galore, Topsham Road, Exeter, EX2 7DT
Proposal:	Non-illuminated double sided post signs (3), non-illuminated single sided ground mounted entrance signs (4) on north east boundary.
Application Number: 11/1895/03	Working Party Date:
Decision Type	Permitted
Location:	Garden Reach, Retreat Drive, Topsham, Exeter, EX3 0LS
Proposal:	Replacement double garage and associated works on north boundary
Application Number: 11/1513/03	Working Party Date: 16/11/2011
Decision Type	Permitted
Location:	1 Higher Shapter Close, Topsham, Exeter, EX3 0AR
Proposal:	Ground floor extension and alterations to roof on existing extension on north east elevation
Application Number: 11/1640/07	Working Party Date:
Decision Type	Permitted
Location:	91 Fore Street, Topsham, Exeter, EX3 0HQ
Proposal:	Internal alterations at first and second floors, replacement windows on south west (1) and south east (4) elevations and rooflights (3) on south west elevation
Application Number: 11/1715/03	Working Party Date:
Decision Type	Permitted
Location:	Follett Orchard, Follett Road, Topsham, Exeter, EX3 0JP
Proposal:	Variation of condition two to approve amended drawings to include a staircase extension on south east elevation (Ref No 11/0535/03 granted 13 July 2011)

WHIPTON BARTON

Application Number: 11/1910/26 **Working Party Date:** 12/12/2011
Decision Type Raise No Objection **Decision Date:** 19/12/2011
Location: Ellen Tinkham School, Hollow Lane, Exeter, EX1 3RW
Proposal: New modular 'Wernick' building to be used for rural skills teaching space

Total Number of Delegated Decisions Made: **148**

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 16 JANUARY 2012

ENFORCEMENT PROGRESS REPORT

1.0 PURPOSE OF REPORT

- 1.1 To update Members on enforcement matters.

2.0 CASES OPENED AND CLOSED BETWEEN 14 NOVEMBER 2011 AND 19 DECEMBER 2011

Cases opened: 10

Cases closed: 14

Outstanding number of cases: 97

3.0 NOTICES ISSUED

- 3.1 ENF/11/30 – Little Italia, 106 Cowick Street, Exeter – Enforcement Notice issued on 14 December 2011 for the installation of raised timber decking with timber posts and ropes, creating two seating areas at the front of the premises.



- 3.2 The Notice requires the owner to:

- Dismantle the timber decking, posts and ropes and remove them from the property
- Remove from the property all materials or debris resulting from compliance with step (a)

- 3.3 The Notice comes into effect on 18 January 2011 and gives a period of twelve months for compliance.

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.

5.2 ENF/11/20 – Chunky Monkey, Weircliffe Park, St Andrew Road, Exeter – Enforcement Notice issued on 21 October 2011 for a change of use of part of the premises from industrial/workshop purposes to use as a single dwelling for residential purposes. An appeal was submitted on 30 November 2011 and is being dealt with by written representations. The Council's statement is due on 19 January 2012.

6.0 ENFORCEMENT APPEAL DECISIONS

6.1 None

7.0 OTHER ISSUES

7.1 ENF/11/58 – 19 New North Road, Exeter – Unauthorised works to two copper beech trees within a Conservation Area. A decision has been taken by Legal Services to instigate prosecution proceedings in the Magistrates Court, a date for the hearing is now awaited.

7.2 Members are also advised that further works have taken place during November to ring-bark a third copper beech tree on site. Again, the Council was not notified of these works, and as a result, a tree preservation order has now been placed on the fourth copper beech tree on site.

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

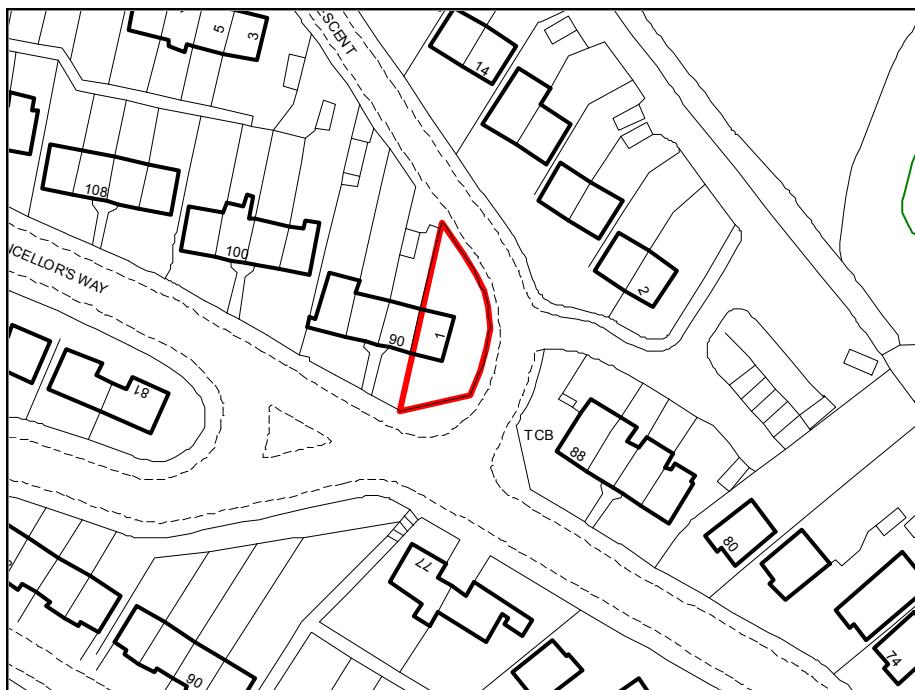
PLANNING COMMITTEE 16 JANUARY 2012

APPEALS

DECISIONS RECEIVED

SUMMARY: 1 appeal decision has been received since the last report: this was dismissed.

1 Celia Crescent, Exeter EX4 9DR



Scale 1:1250

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Reference No: 11/1310/03

Proposal: Erection of a conservatory.

Application Decision: Delegated Refusal

Type of Appeal: Householder

Appeal Decision: DISMISSED

Grounds:

The principal issue was the effect of the proposed development on the character and appearance of the host dwelling and the area.

The appeal site is an end-of-terrace house on a prominent site elevated above viewpoints in Chancellor's Way. Although the proposed conservatory would be on a side elevation, the Inspector considered that the layout of the terrace and the highly conspicuous location meant that this gable end of the building had the appearance of a principal elevation in the street scene. The fact that the front door was located on this elevation added to the impression that this elevation was the front of the house. The Inspector noted that the Council's *A Householder's Guide to Extension Design* SPD, stated that extensions should not project forwards from the front of a dwelling.

The conservatory would be prominent in the street scene. It would appear incongruous in the context of the existing planned layout and there were no other extensions in the area which projected out from a principal elevation.

The Inspector concluded that the proposed development would harm the character and appearance of the host building and of the area, contrary to ELP Policy DG1 and the SPD.

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APPEALS LODGED

Application	Proposal	Start Date	Received Date
9 Colleton Crescent, Exeter, EX2 4DG	Installation of double doorway between first floor dining and living room.	01/12/2011	01/12/2011
Collard House, St Marks Avenue, Exeter, EX1 2PX	Redevelopment to provide three storey and two storey buildings comprising five self contained flats, pedestrian access to highway and associated works.	06/12/2011	06/12/2011
Garden Flat, 30 Powderham Crescent, Exeter, EX4 6BZ	Ground floor extension on south elevation.	14/12/2011	14/12/2011
24 Dunsford Gardens, Exeter, EX4 1LN	Two storey extension on north and east elevations including alterations to detached garage and conservatory on north elevation.	16/12/2011	16/12/2011

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