



Exeter City Council

To the Chair and Members
of the Planning Committee

Please ask for: Sarah Selway

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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 29TH OCTOBER 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 **APOLOGIES**

To receive apologies for absence from Committee members.

2 **MINUTES**

To sign the minutes of the meetings held on 23 July 2012, 3 September 2012, 17 September 2012 and 1 October 2012.

3 **DECLARATIONS OF INTEREST**

Councillors are reminded of the need to declare 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.

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APPEALS REPORT

To consider the report of the Assistant Director City Development.

67 - 70

(Report circulated)

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SITE INSPECTION PARTY

To advise that the next Site Inspection Party will be held on Tuesday 20 November 2012 at 9.30 a.m. The Councillors attending will be Edwards, Lyons and Mitchell.

DATE OF NEXT MEETING

The next scheduled meeting of the Planning Committee will be held on **Monday 3 December 2012** 5.30 pm. in the Civic Centre.

Membership -

Councillors Bialyk (Chair), Lyons (Deputy Chair), Denham, Donovan, Edwards, Mrs Henson, Mitchell, Morris, Owen, Prowse, Spackman, Sutton and Winterbottom

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Agenda Item 5

ITEM NO. 5

COMMITTEE DATE: 29/10/2012

APPLICATION NO: 12/1030/03 FULL PLANNING PERMISSION

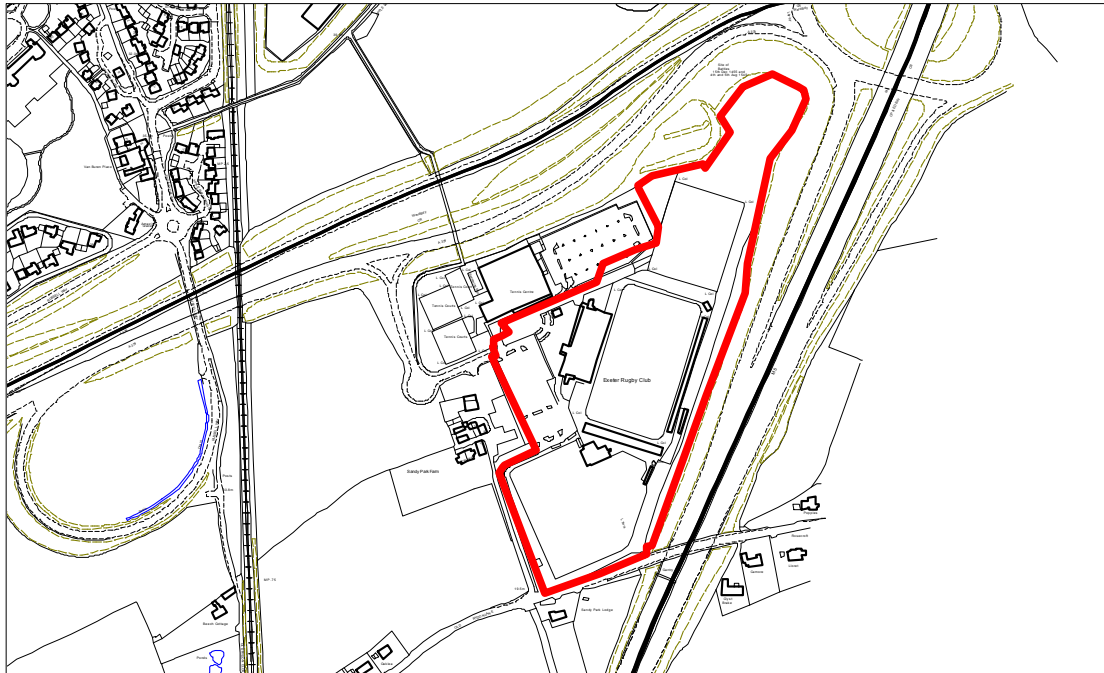
APPLICANT: Mr T Rowe
Exeter Rugby Club Ltd

PROPOSAL: Redevelopment to increase capacity from 10750 to 20600 by three new grandstands, additional parking, bus/coach drop off and extension to west stand including conference centre to south stand

LOCATION: Sandy Park Stadium, Sandy Park Way, Exeter, EX2 7NN

REGISTRATION DATE: 13/07/2012

EXPIRY DATE: 12/10/2012



Scale 1:7500

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HISTORY OF SITE

03/1612/03 -	Erection of rugby stadium (8,200 capacity) and ancillary facilities and sports pitches, tennis centre including indoor and outdoor courts, badminton hall, squash courts, creche and swimming pool, car parking (475 spaces) and other works, including construction of new access to highway.	PER	09/09/2004
07/0324/03 -	Extensions to west stand, provision of stands to north, east and south of ground (13, 956 total capacity) and alterations to include toilets, stores, food services, offices, ancillary accommodation and associated works	PER	23/11/2009
07/0355/03 -	Provision of seating stands on the north west and south west of ground and hard standing in south east corner	PER	14/05/2007
07/2286/03 -	Provision of marquee (324 sq. m.) to south of stadium	PER	14/12/2007
08/1365/03 -	Temporary south stand, marquee, additional toilets and areas of hard standing	PER	15/08/2008

DESCRIPTION OF SITE/PROPOSAL

The site comprises the rugby stadium situated at Sandy Park. The site is sandwiched between the A379 and David Lloyd Centre to the north, The M5 and slip road to the east, Old Rydon Lane to the south and Sandy Park Farm to the west. Vehicular access is obtained to the site via a junction on the A379 to the north-west of the site, with an emergency access, and coach/bus exit only onto Old Rydon Lane. Pedestrian/cycle access to the site is principally obtained via a purpose built pedestrian/cycle bridge over the A379 from the north, secured as part of the original approval for the stadium, and via Old Rydon Lane from the south.

In 2009 consent for an extension to the main stand, and additional new stands (application 07/0324/03) was granted to increase the capacity to 13,956. This consent has not yet been implemented. However, since the construction of the original stadium permission has also been granted for additional temporary stands which have increased the capacity from the original 8,200 to 10,744.

This application seeks consent for a permanent increase in capacity from the current 10,744 to 20,600 in the form of an extension to the existing West stand and new permanent stands on the remaining 3 sides of the ground. The expansion would be implemented in a phased manner starting with the extension to the existing West Stand, followed by the South Stand and Conference Centre, and finally the East and North Stands. Four ancillary staff apartments will also be incorporated within the stadium along with additional administration space. Existing conferencing and corporate hospitality facilities will be extended within the new stands, including a new 1000 seat Conference Centre Suite and associated facilities behind the new South stand. This would be provided on land currently occupied by one of the training pitches (replacement training facilities are being provided at an alternative nearby site in East Devon (at Oil Mill Lane Clyst St Mary). Conference facilities will increase from the existing capacity of 600-650 (710 dining) in four rooms to 2675 (2360 dining) in seven rooms.

Associated works include new ticket office and bar/refreshment kiosk in the form of 2 rugby ball shaped structures either side of the steps leading down from the 'plaza' between the stadium and the David Lloyd Centre to the West Stand, amended coach/bus park and dropping off facility, and additional cycle and vehicle parking.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by a supporting document entitled 'Planning Design Reports/Statements' and this covers the following -

- Planning Design Statement
- Sustainability Strategy
- Access Statement
- Structural Strategy
- Drainage Strategy
- Noise Impact Assessment
- Energy and Sustainability Strategy
- Sequential Test Study
- Transport Strategy, and
- Transport Statement Addendum Report

REPRESENTATIONS

74 representations of support have been received raising the following issues -

- benefits to local economy in terms of jobs and expenditure
- enhances profile of the City
- an asset to the region
- promotes tourism - spectators spending weekends in area, European rugby fans
- increased demand for local hotels associated with conference facilities
- quality of architecture
- reflects sporting success of Rugby Club
- new parking/access arrangements alleviate current issues
- enable Rugby Club to continue to develop
- enhances potential for stadium to host international fixtures.

14 representations of objection/concern have been received raising the following issues -

- insufficient cycle parking facilities
- need to widen Old Rydon lane and provide pedestrian footpath in interests of highway safety
- lack of lighting in Old Rydon Lane exacerbates safety issues
- currently coaches/buses are routinely turning right out of the stadium onto Old Rydon Lane up to the new link road at Newcourt and back to A379 - dangerous given narrowness of lane and poor visibility and will only be made worse with a doubling of capacity
- impact of stadium/conference related parking within nearby residential areas, including new housing at Newcourt/RNSD
- principle of the use of Old Rydon Lane by any traffic associated with stadium, suggest all entry/exit from site is via A379
- Visual impact from Clyst St Mary - advocate further screen planting or use of materials/colours sympathetic to surroundings
- lack of adequate information to assess impact of the development, particularly in terms of highway impacts
- disturbance to residents in Digby from spectators accessing stadium from rail halt
- over development of site and over shadowing of the existing amenity of David Lloyd's car park
- impact of additional traffic on road surfacing, consequent noise and safety issues
- light pollution
- potential parking problems in Old Rydon Lane and adjoining estates resulting from users of Sandy Park parking there and walking to the complex
- lack of consultation (on receipt of the application the Council sent consultation letters to over 690 local residents)

CONSULTATIONS

Assistant Director Environment (ADE) - States that a noise impact assessment and lighting assessment should be submitted prior to determination. Recommends conditions regarding construction hours, Construction Environmental Management Plan, noise mitigation works (if required), kitchen extraction and contaminated land. Since these comments were received a Noise Impact Assessment has been carried. This concludes that the scheme would not have significant adverse impacts and this conclusion has been accepted. Additional conditions have been recommended regarding the use of the stadium, and in respect of noise levels associated with plant and equipment forming part of the scheme. The ADE now accepts that lighting will be the subject of later agreement to discharge a planning condition.

Exeter Airport - Attach 4 Airport Operators Association (AoA) and Civil Aviation Authority (CAA) advice notes and comment as follows -

"The proposal has been examined from an aerodrome safeguarding aspect and does not conflict with any safeguarding criteria. Accordingly, Exeter International Airport has no safeguarding objections to this development provided there are no changes made to the current application and conditions within the abovementioned documents are met."

Devon Stone Federation - No comment from a mineral safeguarding point of view.

Police Architectural Liaison Officer - Comments on detailed design matters from the perspective of minimising the potential for crime and disorder associated with the operation and use of the stadium.

Sport England - No objection based on the fact that the existing rugby training pitch lost on site as a consequence of this development is being replaced as part of the club's new rugby training centre at Oil Mill Lane in East Devon.

County Head of Planning, Transport and Environment - In response to the initial submission documents raise the following issues -

- query whether proposed sustainable transport strategy is achievable, and hence whether potential impact on local and strategic highway network would therefore be satisfactorily mitigated
- highlight current limit on capacity until such time as a revised Match Day Access Strategy is agreed and concern at lack of on-going monitoring of the functioning of the stadium and its impact on the highway network
- question assumptions regarding travel modal split of spectators
- query length of agreements regarding use of off-site parking facilities
- need to extend controlled parking zones to cover new Newcourt developments
- query travel mode assumptions for delegates attending conference facilities

Since these comments were made further negotiations have taken place and additional information, in the form of a Transport Strategy and Transport Statement Addendum, has been submitted. A revised consultation response is awaited and will be reported to Committee.

Highways Agency - Initial consultation response expressed concern regarding the impact of the scheme upon the strategic road network and imposed an Article 25 holding direction preventing the granting of planning consent. Following further negotiations and receipt of additional information a further response was received on the 2nd October. Whilst this provided a degree of clarification the Highways Agency were not satisfied with the proposal and commented as follows -

"At this time the Agency is unable to accept the development, as the applicant has failed to demonstrate compliance with Circular 02/2007. Therefore our Article 25 will remain in place. I trust this is useful and clarifies the Agency's position, which at this time remains unchanged."

An Addendum Report to the submitted Transport Statement has since been submitted and a further round of negotiations have taken place. Consequently a revised consultation is anticipated and will be reported to Committee.

County Head of Planning, Transport and Environment (Minerals) - Comments as follows -

"Thank you for consulting the Mineral Planning Authority on this Planning Application. Whilst the site is partly within Bishops Court Quarry, which has planning permission for mineral extraction, the Mineral Planning Authority has previously accepted that the available mineral has been sterilised by development at this site and therefore has no objection to the granting of planning permission for this development."

Network Rail - No observations.

East Devon District Council - "East Devon District Council as Local Planning Authority have consulted with our Environmental Health department and have the following comments to make:

It is noted that the supporting information states that:

"It is proposed to remove the floodlight poles in the 4 locations of the ground and replace with the flood lighting mounted on the underside of the main roofs of the west and east grandstands. This will positively reduce the amount of light spillage outside of the ground and focus the lighting to inside of the stadium with minimal spillage. A specialist report/input will be forwarded in due course".

These works will therefore deal with the issue of the current floodlights being visible over such great distances and into East Devon. Exeter City Council will be addressing any noise concerns as they have residents in the vicinity and measures taken to protect them will also benefit our nearby residents. I therefore do not consider we need to get involved with that aspect.

Therefore provided that these issues are taken into consideration we would not raise an objection to the proposal."

Disability Access Champion (Living Options Devon) - "I have read all the favourable comments in support of the proposal and know that the Rugby Club has an excellent reputation, together with acknowledgement of the facilities offered to disabled people visiting the site. With this in mind I was wondering whether the toilet facilities being offered could be extended to include at least one Changing Places standard toilet to cater for the extra needs of disabled spectators / users of the conferencing centre etc who cannot access a standard Part M compliant toilet."

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework

Exeter Local Development Framework Core Strategy

- CP9 - Transport
- CP10 - Meeting Community Needs
- CP11 - Pollution and Air Quality
- CP12 - Flood Risk
- CP13 - Decentralised Energy Networks
- CP14 - Renewable and Low Carbon Energy
- CP15 - Sustainable Construction
- CP17 - Design and Local Distinctiveness
- CP18 - Infrastructure

Devon County Structure Plan 2001-2016

- ST1 - Sustainable Development
- ST10 - Exeter Principle Urban Area
- CO6 - Quality of New Development
- TR1 - Devon Travel Strategy
- TR2 - Coordination of Land Use/Travel Planning
- TR3 - Managing Travel Demand
- TR4 - Parking Strategy, Stands and Proposals
- TR5 - Hierarchy of Modes and Transport Assessment
- TR7 - Walking and Cycling
- TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011
T1 - Hierarchy of Modes
T2 - Accessibility Criteria
T10 - Car Parking Standards
DG1 - Objectives of Urban Design

OBSERVATIONS

Policy/Sequential test - in relation to Conference facilities

The extension to the capacity of the stadium itself does not pose any significant policy issues with regard to the edge of City location. By definition the additional capacity is required at the location of the existing stadium specifically in connection with the needs of Exeter Chiefs who occupy the stadium. However, it is considered that the expansion in the conferencing capacity of the site does need to be assessed against the sequential test in line with the requirements of the National Planning Policy Framework. Following this issue being raised with the applicant a Sequential Test Study has been submitted which states that the expansion of the conferencing facilities is intrinsically linked to the expansion of the stadium capacity and constitutes enabling development. It states that whilst 4/5ths of the financial income at Sandy Park is derived from Rugby income the other 1/5th is derived from the conferencing and this is vital to the successful operation of the Rugby Club and its continued success. The study also explains that the additional conferencing floor space has a dual function and much of it will be used on match days to provide corporate hospitality. The study concludes that demand for conference facilities is expanding and that the additional provision proposed in this application would not have any significant adverse impact on other existing conference facilities in the area, nor other potential new conference facilities.

The additional conference facility comprised in this application would not be provided by the applicant in any other location as a free standing facility due to the intrinsic link to the operation of the Rugby Club as outlined above. The income derived from the conferencing supports the Rugby Club and provides a complementary use throughout the majority of the year when matches are not taking place.

Transportation Issues

Transportation issues relating to this proposal fall into two main categories, namely the capacity of the surrounding road/transportation network to accommodate the additional spectator and conference capacity proposed (with regard to highway safety and impact on surrounding residential areas) and practical issues such as the management of traffic attracted to the site, amount of vehicle and cycle parking provided, and green travel initiatives. The two are inter-related in that effective management of travel demand generated by the development, including promotion of alternative travel options to the private car, can reduce overall traffic generation attracted to the site and minimise the potential impact upon surrounding residential and commercial developments.

The use of the stadium is subject to a current approved 'Match Day Access Strategy' (MDAS) that covers a capacity of up to 11,700 spectators. The capacity of the stadium as it currently stands is 10,744. This MDAS relates to access to the site, public transport provision and parking controls in surrounding residential areas.

The current proposal seeks to increase the capacity of the stadium to 20,600 and represents a significant increase with potential consequential impact on the road network and the surrounding area. There is a need to revisit the current arrangements to take into account both the increase in capacity, and the fact the significant new residential development has taken place, with more planned in the Newcourt area, in areas not covered in the currently approved MDAS. At present parking controls are operated in the nearby Digby area on

matchdays and any revised MDAS will need to address the potential extension of this approach to cover the new residential development referred to above.

The initial Transport Strategy examined 4 scenarios relating to the operation of the Sandy Park complex as a whole (i.e. rugby matches and conferencing) as set out below -

- Typical weekday operation - conference/training/administration with no matches
- Weekday evening matches - Reserve team fixtures
- Average weekend match day - assumes 15000 attendance
- Sell-out weekend match day - 20600 attendance

Both the Highways Agency (HA) and Highway Authority (DCC) raised concerns about the analysis of the highway impact of the scheme in terms of base-line information used and assumptions made regarding travel modes adopted by users of the facility. Consequently negotiations took place to address these concerns and further information in the form of a revised, and more detailed, Transport Strategy was submitted. Whilst this provided clarification and greater detail regarding the potential impact neither the HA or DCC were fully satisfied and a further negotiations have taken place, resulting in the submission of a Transport Statement Addendum. The HA and DCC have also jointly secured central government funding for physical and traffic management improvements to Junction 30 which need to be implemented by 2015. These works will improve capacity and function of this junction and will be of significant benefit in terms of accommodating additional traffic associated with increased capacity/conferencing at Sandy Park. Whilst revised formal consultation responses from the HA and DCC are awaited it is understood that subject to appropriate conditions and a legal agreement both organisations will remove their objections and confirm support of the scheme. The revised formal responses will be reported at Committee. The conditions will need to impose a limit on capacity until such time as a revised MDAS has been agreed, and a further limit on capacity (15,000) until the improvements to Junction 30 (for which DCC and the HA have secured funding) have been completed. The existing MDAS covers capacity upto 11,700 and this would enable the extended West stand to be implemented without delay as although this will provide additional seating it's implementation results in the loss of current standing capacity and the extended West Stand would not exceed this figure.

It is anticipated that the Transport Strategy, when finally agreed, would also form the basis for a revised MDAS that would cover the increased capacity and additional conference facilities incorporated within this proposal. Production and subsequent implementation of the MDAS would be secured via a Section 106 and condition. The Section 106 would also secure an appropriate financial contribution towards implementation and monitoring of further controlled parking zones in the new residential developments coming forward in the surrounding area e.g. Newcourt and potentially at Bishops Court Quarry.

Objectors to the planning application were informed of the new Transport Strategy and Addendum information on 12th October and given 14 days to comment. Any further representations will be reported at Committee.

As part of the proposal the amount of parking available on site will be increased by an expansion of the parking area onto land currently occupied by the training pitch which is being relocated to facilitate this expansion of the complex. However, not all of the car parking spaces will be available on match days as much of it will be needed to manage and accommodate coaches. On a non-match day there will be a total of 395 parking spaces available to serve the complex and conferencing facility (including 20 disabled spaces. On match days there will be total of 249 car parking spaces (20 disabled) with the remainder of the car park allocated to 18 coaches and two bus stops. The amount of cycle parking has also been increased although the precise number still needs to be confirmed (it is considered that 64 spaces would be reasonable to serve the development. It is also proposed that other than emergency/maintenance vehicle access there would be no use of the vehicular access

from the site onto Old Rydon Lane. This should result in an improvement to the safety of pedestrians using Old Rydon Lane by removing coach traffic using this access. All cars and coaches would in future obtain access to, and egress from, the site via the slip road on the A379. An appropriate condition is proposed to cover operation of the stadium/conference facilities in this way.

Visual impact

The existing stadium occupies an elevated position and is visible from a number of distant vantage points. As part of the original consent, and recent highway improvements, significant planting has taken between the stadium and the motorway/motorway slip road, that will in time provide some visual screening of the stadium. Notwithstanding this, the elevated nature of the site, and the very nature of large spectator stands forming part of a significant sports stadium, means the prominence of the extended stadium on the skyline will inevitably increase. However, the capacity expansion now proposed will be provided in permanent stands that complete the stadium bowl, which together with the conference facility to the rear of the south stand, will improve the visual appearance of the stadium as a landmark feature in the locality. The East stand facing the Motorway will be of comparable height to the previously approved East Stand, apart from the stanchions supporting the roof which be higher. However, these will form a coherent part of the stadium bowl and are common features of stadium design.

The detailed design of the extended and new stands, and that of the conference centre to the rear of the south stand have taken reference from the existing stadium in terms of materials and overall external appearance. The completion of the entire stadium bowl will result in a more coherent structure than currently exists.

There are a number of minor design issues that may require amendments to the details of the design, such as details of glazing specification and protection of areas from vehicles. These matters can be addressed prior to the issue of consent.

Noise/Light Pollution

It is inevitable that there will be noise associated with a large open air sports stadium on match days. However, this is an existing use and although the significant increase in capacity is likely to add to the noise generated on match days it would be difficult to argue that the impact would be so significant in the context of the existing use to justify refusal of this scheme. With the complete enclosure of the pitch within a bowl stadium noise associated with the crowd and PA system is likely to be more contained than at present. A Noise Impact Assessment has been submitted that satisfactorily demonstrates that the proposal would not have any significant adverse noise pollution impact. A condition is proposed setting limits for noise from plant and equipment associated with the proposed stadium and conference centre.

The current lighting of the pitch is provided by floodlights located in the four corners of the ground, and these project above the level of the existing stands, particularly those on the north, east and south sides of the ground. As part of the current proposal these floodlights will be replaced with flood lighting mounted on the underside of the main roofs of the extended West stand, and new East stand. This approach to flood lighting of the pitch will reduce the amount of light spillage outside the ground and focus the lighting on the inside of the stadium.

Sustainability

Core Strategy policies CP14 and CP15 set out the Council's requirements in terms of use of decentralised and renewable or low carbon energy sources within new developments, and sustainable design and construction methods.

The originally submitted supporting documentation received as part of the application contained a section setting out a sustainability strategy for the development. This refers to a natural passive and low energy approach to the building design, with maximisation of opportunities for natural ventilation (including night time cooling), air source heating, possibility of ground source heat pumps and the use of roof mounted photo voltaic panels on the south facing roof of the conference suite. Whilst this general approach was welcomed it was considered to be lacking detail or firm commitment in terms of sustainable design features to be incorporated within the development and their potential contribution to the energy needs of the development in terms of meeting the Core Strategy Policy CP14 requirement to cut predicted CO2 emissions by the equivalent of at least 10% over and above those required to meet building regulations current at the time the scheme obtains building regulations approval.

Following negotiations to address these matters a revised Energy and Sustainability Strategy has been submitted. The Council commissioned a specialist consultant to advise on negotiations as to whether the proposals within this revised strategy are sufficiently challenging. It covers energy, water, flood risk, transport, waste and materials issues. The proposals include 35 kWp of photovoltaic panels (about 235 sq m) across the south facing roof of the conference centre. This would reduce the Part L regulated carbon emissions for the scheme by about 10%. It is proposed to condition implementation of the scheme in accordance with the Energy and Sustainability Strategy, and to require the South stand, Conference Centre, East and North stands to achieve BREEAM 'Excellent' standard.

SAWP (15/08/2012)

Members expressed concern about the impact of additional traffic associated with the proposal on the whole surrounding area and infrastructure. Members noted that the application would be determined by Planning Committee.

Conclusions

The proposal needs to be assessed against the Development Plan and relevant material planning considerations to ensure that it constitutes quality development that can be delivered in a sustainable way without significant adverse impacts. Having assessed the proposal as outlined in this report it is considered that this is case. Furthermore, the success of the rugby club helps to create a positive image for Exeter and the current proposal is part of the Club's strategy to continue moving forward and consolidate their position within the Premier League. This can only be of wider benefit to the economy and image of the City. The proposed 1000 seat conference centre attached to the new South Stand would enhance the conference venue offer available within the City. Together the enlarged stadium and enhanced conference facilities would contribute to achieving the vision set out in the Core Strategy.

RECOMMENDATION

Approve subject to the satisfactory outcome of negotiations in relation to transportation matters, the lifting of the holding direction by the Highways Agency, and the completion of a Section 106 legal agreement to ensure that the stadium is only used in conjunction with an approved Match Day Access Strategy (and which includes provision for the monitoring thereof), the submission of satisfactory minor amendments to the design details and the following conditions:-

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings

- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) C35 - Landscape Scheme
- 6) C37 - Replacement Planting
- 7) Unless otherwise agreed the playing area and spectator facilities in the main stadium shall only be used for the purposes of playing rugby or other sporting activities. The site shall not be used for public performance of musical events.
Reason: To enable the Local Planning Authority to retain control over the use.
- 8) The designated disabled parking areas shown on the approved drawings shall be retained at all times.
Reason: To ensure that adequate provision is made for disabled parking.
- 9) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.
Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.
- 10) The access from the site to Old Rydon Lane shall only be used by emergency or maintenance vehicles, and not as general means of access to or from the stadium and conference facilities.
Reason: In the interests of highway safety.
- 11) A Construction and Demolition Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and adhered to during the construction period. This should include details of the monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and emissions of noise and dust. This should include details of the phasing and timing of work and measures that will minimise the impact of construction traffic on the local road network, including parking. The CEMP should contain a procedure for handling and investigation complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development, in order to discuss forthcoming work and its environmental impact.
Reason: To minimise the potential for disruption during the construction process.
- 12) Construction/demolition work shall not take place outside the following times; 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interest of residential amenity.
- 13) Capacity of the stadium exceeding 11700 spectators shall not be utilised until a Match Day Access Strategy for crowds exceeding this figure has been submitted to and approved in writing by the Local Planning Authority. Thereafter the stadium shall only be used and operated in accordance with the approved Match Day Access Strategy.
Reason: In the interests of highway safety, the operation of the highway network

and the living conditions of the occupiers of nearby dwellings.

- 14) Prior to occupation of the development hereby permitted, 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 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.
- 15) The four staff flats shown on the second floor of the south west stand on drawing no 1032 PL02.42 Rev B shall only be occupied by staff members associated with the operation and running of the rugby club and associated facilities.
Reason: The said accommodation lacks the provision of adequate private external amenity space to meet the standards set out in the Council's adopted Residential Design SPD. However, it forms an intrinsic part of the overall proposal and is considered acceptable on that basis provided occupation is only limited to staff associated with the development.
- 16) The level of noise emitted from all fixed plant and equipment on the site shall not exceed a rating noise level of 38 dB (07:00hrs to 23:00hrs) and 29 dB (23:00hrs to 07:00hrs) at the western boundary of the site, and 47 dB (07:00hrs to 23:00hrs) and 32 dB (23:00hrs to 07:00hrs) at the southern boundary of the site (measured in accordance with BS4142:1997). The developer shall demonstrate, by measurement and confirmation in writing to the Local Planning Authority, compliance with this level prior to the expanded facilities being brought into use, and as requested by the LPA thereafter.
Reason: In the interest of minimising noise pollution to protect the residential amenity of the occupants of nearby properties.
- 17) A Green Travel Plan relating to the use and operation of the conference centre attached to the new south stand shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the said conference centre being brought into use. Thereafter the conference centre shall be operated in accordance with the approved Green Travel Plan.
Reason: To ensure that the conference centre is operated in a way that encourages travel by sustainable means and minimises the potential impact on the local highway network.
- 18) Capacity of the stadium exceeding 15,000 spectators shall not be utilised until the improvements to Junction 30 of the M5, comprising works to the south bound off slip road and upgrading the traffic management system, for which Pinch Point funding has recently been secured jointly by Devon County Council and The Highways Agency, have been fully implemented.
Reason: To ensure that the function and safety of the Strategic Road Network is not adversely affected by traffic associated with increased capacity of Sandy Park stadium.
- 19) Prior to the commencement of the development an assessment of the impact of all external lighting associated with the development shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall consider the impact of all external lighting (including hours of use) on nearby receptors as agreed in writing by the Local Planning Authority.
Reason: To ensure that potential light pollution is minimised in the interests of the residential amenity of the occupants of surrounding properties.
- 20) Prior to the implementation of any revised floodlighting scheme associated with the construction of the increased stadium capacity hereby approved a lighting assessment of the proposed flood lighting shall be submitted to and approved in

writing by the Local Planning Authority.

Reason: To ensure that potential light pollution is minimised in the interests of the residential amenity of the occupants of surrounding properties.

- 21) The development hereby approved shall be implemented in accordance with the submitted Energy and Sustainability Strategy Rev F dated 11th October 2012 including a plant room that is compatible with future connection to a District Heating Network, and installation of photo voltaic panels to meet the requirement of Core Strategy policy CP14. However, notwithstanding the contents of that document the South stand, South Stand conference centre and East and North stands shall be constructed to BREEAM 2011 Excellent standard. A copy of the final BREEAM assessment for each of these elements shall be submitted to the Local Planning Authority prior to them being brought into use.

Reason: To ensure 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 in accordance with Core Strategy Policies CP14 and CP15.

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

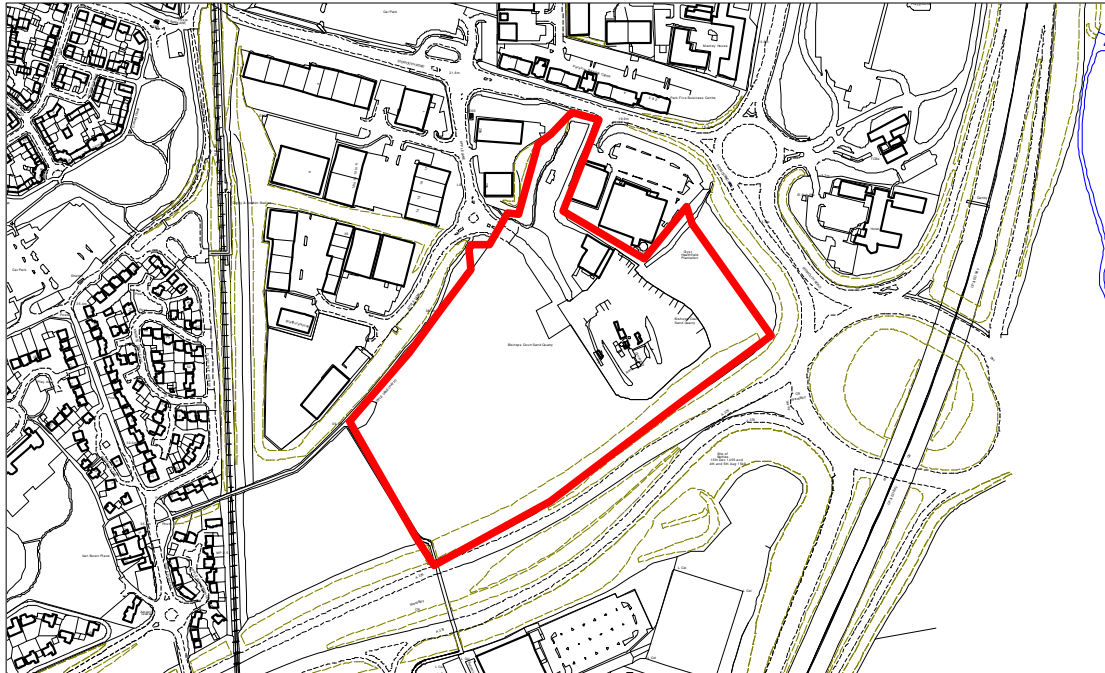
Files of planning applications available for inspection from the Customer Service Centre,
Civic Centre, Paris Street, Exeter: Telephone 01392 265223

Agenda Item 6

ITEM NO. 6

COMMITTEE DATE: 29/10/2012

APPLICATION NO: 12/0500/03 FULL PLANNING PERMISSION
APPLICANT: Harrow Estates Plc
PROPOSAL: Demolition of buildings and the re-profiling of quarry to provide platform for 190 residential units, public open space, landscaping, access, pedestrian and cycle links and associated infrastructure
LOCATION: Bishops Court Quarry, Apple Lane, Exeter, EX2 7JH
REGISTRATION DATE: 04/04/2012
EXPIRY DATE: 04/07/2012



Scale 1:7500

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HISTORY OF SITE

There is an extensive history of applications relating to the Quarrying use of the site, none of which are considered directly relevant to the current proposal.

DESCRIPTION OF SITE/PROPOSAL

The application site comprises the former Bishops Court Quarry which extends to 8.43 hectares of land. It is bounded to the north and north-east by Sidmouth Rd and the retail units Toys R Us, American Golf and Snow and Rock, to the south by the A379, to the south-west by the footpath leading over the A379 to the Rugby Stadium and to the north-west by the Apple Lane footpath and Apple Lane industrial estate.

Permission is sought for the demolition of all existing buildings on the site, the re-profiling of the former Quarry to provide a developable platform and the erection of 190 residential units (the original submission was for 225 dwellings) with associated landscaping, public open space, pedestrian and cycle links and vehicular access to the public highway. The site will be served by a single point of vehicular access utilising the existing arm of the Apple Lane roundabout to provide access to Sidmouth Road.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting documents -

- Planning Statement
- Design and Access Statement
- Ecological Site Investigation
- Tree Survey and Vegetation Management Plan
- Air Quality Assessment
- Noise Assessment
- Flood Risk Assessment and Surface Water Drainage Strategy
- Foul Drainage and Utilities Report
- Geo-Technical and Ground Investigations Report
- Landscape Strategy
- Site Waste Management Plan
- Transport Assessment and Travel Plan
- Sustainability Statement
- Statement of Community Involvement

REPRESENTATIONS

3 letters of representation have been received raising the following issues -

- Departure in terms of loss of employment land.
- Impact of additional traffic on Sidmouth Road.
- Inadequacy of Statement of Community Involvement as some community association members did not receive any communication about the public exhibition.
- Proximity/accessibility of local facilities.
- Overdevelopment/lack of public open space.
- Desirability of houses incorporating a high level of environmentally sustainable features.

CONSULTATIONS

The County Director of Planning, Transportation and Environment raise no objection to the scheme subject to a Section 106 Agreement requiring a financial contribution towards improvements to Bridge Road (£345,000), cycle facilities within 1 km of the site (£125,000), pedestrian and cycle facilities around Digby and Sowton Station (£100,000) and a contribution towards various elements contained in the Travel Plan for the site (£100,000).

Highways Agency comment that they broadly accept the submitted Transport Assessment which identifies the development's impact on the Strategic Road Network. It is noted that the assessment relies on challenging trip rate figures, and as such assurances are sought to ensure that the development can be delivered in accordance with these assumptions. If approved, conditions in respect of a Construction Environmental Management Plan and a comprehensive Travel Plan should be imposed.

Network Rail raise no objection in principle, subject to details of fencing, drainage, safety, ground levels, noise and vibration levels and type of landscaping to be introduced.

Environment Agency raise concerns relating to the submitted Flood Risk Assessment and the consequent acceptability of the proposal from a drainage/flood risk perspective. A revised Flood Risk Assessment has been received and is currently being assessed.

South West Water raise concerns that the public foul sewer network does not currently have capacity to accommodate the proposals. However it is considered that the imposition of

either a Section 106 Agreement or appropriate conditions to fund improvements prior to any development commencing on site could overcome these concerns.

Natural England recommends refusal on the grounds that no adequate mitigation of the potential impacts of the development upon nearby Natura 2000 sites is proposed. Also highlight impacts on biodiversity and geodiversity of the site and the need to ensure these are protected and enhanced, referring specifically to Sand Martins, Badgers, lack of survey information in relation to reptiles and bats, notable plants and the Regionally Important Geological sites (RIGS). Reference is also made to the quantity and quality of the proposed open space. The response concludes by recommending that if the above are resolved satisfactorily a condition should be imposed requiring an Environmental Management Plan.

RSPB raise concerns about potential impact of the development upon protected Natura 2000 sites and the absence of a commitment to pay a financial contribution towards mitigation, in line with the joint interim approach adopted by the relevant local authorities and Natural England. Comments are also made on the opportunities to enhance biodiversity as part of the development, in line with advice in the NPPF and the need to maximise these through the suggested imposition of a condition requiring submission of an Environmental Management Plan.

Devon Wildlife Trust comment on the importance of enhancing biodiversity within new developments and the likelihood of important species being supported on the site. Also express concerns regarding the level of survey information and absence of clear and detailed management and maintenance plan for landscape and wildlife features. Recommend that this is appropriately conditioned and that opportunities to enhance biodiversity of the site through provision of appropriate nesting boxes is maximised.

Police Architectural Liaison Officer welcomes reference to the 'Secured by Design' initiative in the submitted Design and Access Statement. Their original response also highlights a number of detailed design points within the layout that need addressing relating to permeability within the layout, natural surveillance of footpaths, location and design of communal areas, need to provide facilities for all age groups, parking provision, and security of rear access paths. Comments on the revised layout are awaited.

Health and Safety Executive requires further information in respect of design and stability reports to be undertaken by a competent geotechnical specialist.

Devon Stone Federation raise no comment.

Assistant Director Environment requires clarification of matters contained within the submitted Noise Assessment but subject to a satisfactory response recommends conditions covering hours of construction, submission of a Construction Environmental Management Plan, foul drainage arrangements, land contamination, green travel plan, and details of proposed sound insulation measures.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework

Exeter Local Development Framework Core Strategy

CP2 - Employment
CP10 - Meeting Community Needs
CP12 - Flood Risk
CP18 - Infrastructure
CP1 - The Spatial Approach
CP4 - Density
CP5 - Meeting Housing Needs

CP7 - Affordable Housing
CP11 - Pollution and Air Quality
CP14 - Renewable and Low Carbon Energy
CP15 - Sustainable Construction
CP16 - Green Infrastructure
CP17 - Design and Local Distinctiveness

Devon County Structure Plan 2001-2016

ST17 - Housing and Employment Provision
ST20 - Reassessment and Safeguarding Employment Land
CO8 - Archaeology
CO9 - Biodiversity and Earth Science Diversity
CO10 - Protection of Nature Conservation Sites and Species
MN1 - Safeguarding Mineral Resources
ST1 - Sustainable Development
ST10 - Exeter Principle Urban Area
ST18 - Affordable Housing
ST18a - Mix and Type of Housing
CO6 - Quality of New Development
TR1 - Devon Travel Strategy
TR2 - Coordination of Land Use/Travel Planning
TR3 - Managing Travel Demand
TR4 - Parking Strategy, Stands and Proposals
TR5 - Hierarchy of Modes and Transport Assessment
TR7 - Walking and Cycling
TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011

E3 - Retention of Employment Land or Premises
T10 - Car Parking Standards
LS4 - Local Nature Conservation Designation/RIGS
AP1 - Design and Location of Development
AP2 - Sequential Approach
H1 - Search Sequence
H2 - Location Priorities
L4 - Provision of Playing Pitches
T1 - Hierarchy of Modes
T2 - Accessibility Criteria
T3 - Encouraging Use of Sustainable Modes
LS2 - RAMSAR/Special Protection Area/Special Area of Conservation
EN5 - Noise
DG1 - Objectives of Urban Design
DG4 - Residential Layout and Amenity
C5 - Archaeology

Strategic Housing Land Availability Assessment (SHLAA)
Site Allocation and Development Management - Development Planning Document

Exeter City Council Supplementary Planning Document

Residential Design Guide (adopted September 2010)
Affordable Housing

OBSERVATIONS

The potential for an alternative use of the Bishop Court Quarry has resulted from the existing sand extraction company concluding that the quarry was no longer economically viable. It is understood that the aggregate does not now meet the required standards and alternatives sources are available in the area. The Exeter Local Plan identified the site as a Site of Local Interest for Nature Conservation and within a Mineral Consultation Area. In respect of this latter designation, the County Council have stated that they no longer require the site to be safeguarded and have no objection in principle to redevelopment of the quarry for an alternative use. The site has been identified in the published Strategic Housing Land Availability Assessment (SHLAA) as a site considered suitable for residential development which is to be reaffirmed in the Site Allocation and Development Management Development Plan Document which is currently at initial consultation stage. In addition, the site has been identified to meet the Core Strategy's 5 year housing land supply and included in the Development Management Statement as approved by Executive Committee in January 2012. It is therefore considered that the principle of residential development is acceptable for this site.

Transportation

The sole vehicular access to the site is from the existing roundabout on Apple Lane. The County Planning, Transport and Environment Director has broadly supported the conclusions reached within the submitted Transport Assessment and accepts that the site is appropriate for residential use with minimal changes to the existing road infrastructure network of the area. This view is supported by the Highway Agency who are satisfied that the identified impact on the Strategic Road Network as outlined in the Transport Assessment is acceptable, subject to the imposition of conditions regarding the need for a Site Construction Method Statement and a comprehensive Travel Plan. The County Highway officer has previously acknowledged that the impact of the number of units proposed is significant and therefore appropriate mitigation measures would need to be sought. Since these initial comments were made, the overall scheme has been revised in terms of total unit numbers and layout. The County Highway officer has now concluded that the scheme is acceptable, subject to financial contributions towards improvements to Bridge Road, cycle facilities within 1 km of the site, pedestrian and cycle facilities around Digby and Sowton Station and a contribution towards various elements contained in the Travel Plan for the site. In addition, a vehicular access into the adjacent land to the south west of the site needs to be secured to ensure the comprehensive planning of this area. Accordingly it is considered that these issues can be addressed through the imposition of planning conditions or a financial contribution within a Section 106 Agreement.

Affordable Housing

The application now proposes a total of 190 dwellings and in accordance with the Affordable Housing Supplementary Planning Document, 25% is required for affordable housing. This would equate to 47.5 dwelling, which would be achieved through the combination of 47 units on site and a financial contribution equivalent to the remaining 0.5 unit. The proposed mix also includes the provision of 3 No. wheelchair accessible bungalows which have been agreed with the Housing Development officer. Whilst the number of affordable units would be acceptable, the submitted plans do not provide the ratio of social rented to shared ownership which needs to be 70/30 in order to accord with the requirement of the SPD. In addition, a further dispersal of the affordable housing is necessary within the site, as groups of 11, 16 and 20 dwellings which are indicated on the layout plan would exceed the acceptable number of clustered properties as stated within the Affordable Housing SPD. Consequently further discussion is required with the developer to achieve an acceptable scheme which accords with the Affordable Housing SPD.

Biodiversity

As previously stated the site is allocated in the Exeter Local Plan as a Site of Local Interest for Nature Conservation and has been identified as a future County Wildlife Site. The Core Strategy Policy CP16 acknowledges that in determining planning applications biodiversity is

a material consideration. It is evident from the site inspection that the primary area of biodiversity interest is contained around the edges of the quarry given that the central area has been worked for sand extraction and used to deposit material in association with the construction of the motorway junction. However the comments raised by Natural England, the RSPB and the Devon Wildlife Trust highlight the importance of this site in terms of biodiversity. All three bodies comment that the submission has insufficient information in terms of both survey data and mitigation measures if the development were to go ahead. Further information is therefore needed to ensure that the natural assets of the site are safeguarded and where appropriate enhanced. An additional letter from the applicant's ecological consultant has sought to address some of the concerns raised and a response from the relevant amenity bodies to this additional information is awaited. However if further works are considered necessary, it is considered that a planning condition requiring a Environmental Management Plan which would include the objectives of retaining existing ecological and geological interest on the site and delivery of measurable and long term management should be imposed. In terms of wider environmental mitigation, the applicant has stated their agreement to a financial contribution to be used to mitigate against the affects of the development on the Exe Estuary, East Devon Pebblebed Heaths/East Devon Heaths and on Dawlish Warren.

Design

Since the scheme's original submission in March there has been considerable negotiation with the developer to reach an acceptable layout. In particular, the original number of units of 225 has now been reduced to 190. The previous use of the site as quarry represents both a unique opportunity for development and significant challenges in terms of changes in levels and relationship with steep slopes and existing mature vegetation. In effect the steep cliff faces and steep slopes provide a significant barrier which will protect the future residential amenities of the site occupants from the neighbouring commercial uses and road network. However the integration of these features need to be carefully considered in order to achieve a satisfactory residential scheme particular in terms of layout, built form, parking arrangement, provision of open space and private garden areas. These issues need to be assessed against the requirements of the Residential Guide SPD. Given the nature of the site as a quarry and the substantial ground remodelling needed to achieve a satisfactory area for development, the submission of further information and assessment in respect of levels and sections is required.

Layout

A guiding principle of the development is the creation of central spine road through the site, which also has the potential to provide vehicular area to the land to the south west of the site. This central spine road creates the main avenue off which the remainder of the development is laid out. This streetscene frontage will be accessed by all properties and therefore, to a certain degree, defines the character of the scheme. The proposed schemes seeks to provide detached dwelling along this central curved road with hedge and tree planting defining the boundaries of the private space and the public highway. The combination of detached properties which allows space between properties and the structure landscaping does present a degree of spaciousness which is continued within the upper section of the site. This approach is to be welcomed, although it is unfortunate that the insistence of the developer for double width access driveways to serve these properties will dilute the intended 'garden suburb' street frontage as stated within the Design and Access Statement. A more landscaped approach could, it is considered could have been achieved through a greater provision of on-street parking which is advocated by the Residential Guide SPD. However the overall approach to the layout is considered on balance acceptable, in this upper section of the site.

The higher density section of the site seeks to introduce a 'homezone' approach which is supported. Whilst it does result in a greater reliance on parking within the frontage, it is accepted that the introduction of trees to break up the overall streetscene helps to ensure that the area does not appear too dominated by parking areas. In addition, it is noted that the area alongside the proposed properties is used for parking purposes and this also helps to

reduce the level of parking with the overall streetscene of this section of the site. This arrangement is therefore considered satisfactory.

Open Space

The submitted plan indicates an open space provision of over 12% (0.67 ha of a total net developable area of 5.4 ha) which exceeds the 10% required by the Exeter Local Plan. The central triangle of public open space provides an adequate area of level communal space which is clearly defined and overlooked. The illustrative plan indicates this area would be bordered by regular spaced tree planting, however it is considered that a less rigid approach would be better suited to encourage natural surveillance within the area. This could be addressed within a detailed landscape plan as required by a planning condition.

The open space located to the north of the site would offer a less formal area which incorporates the footpath link to Sidmouth Road and would offer an unrestrictive view of the cliff face to the west of this footpath. The lower section of this linear area of public open space would need to be remodelled to provide a flat area of space, although further plans and sections are required to demonstrate this. The remainder of the site would offer an enhanced approach to the pedestrian/cycle access into the site from Sidmouth Road and therefore provide an important function in terms of the setting of the development. Given that the area alongside the footpath would be bordered by a cliff face, it is important that appropriate levels of stabilisation are carried out to ensure safety. Any measure would also need to take account of issues of biodiversity such as nesting birds and therefore a planning condition would be required to address this matter. The developer has indicated that the public open space would be maintained by a private management company rather than offered for adoption to the Council. Clarification is being sought as to what play equipment provision is to be provided in association with these areas of public open space.

Private Amenity Provision

The upper section of the site provides good quality of private amenity space which would accord with the Residential Guide SPD and would therefore be acceptable. The lower section of the site seeks to provide a higher density of accommodation and inevitably the amount of private amenity space is more restrictive. In particular, it is noticeable that some of the garden areas which back of the south and eastern boundary have limited garden length which would not comply with the Residential Guide, although the southern aspect does to a certain degree compensate for this shortfall. However the dwellings that occupy the eastern corner of the site have gardens located within the maintenance zone adjacent to the sand rock face and back onto an area of existing mature vegetation. This relationship would be unacceptable. It is therefore considered that revised plans are needed to address this concern and ensure that a suitable level of private amenity space is provided for these residents.

Education Contribution

The County Council Education officer has requested a financial contribution towards primary education including the purchase of a site and secondary education provision. The developer has stated a willingness to provide an education contribution which reflects the education requirements of this development. Accordingly a financial contribution to meet this provision will be included within the Section 106 Agreement.

Sustainability and Building for Life

The applicant has sought to address previously expressed concerns regarding the site's location in terms of sustainability and its relationship with nearby facilities. It is recognised that the existing and proposed pedestrian/cycle routes do enable local facilities and amenities to be accessed from this site. In particular, the site offers good access to schools, doctors surgery and supermarkets located to the south west of the site which would be within the 800m figures indicated as being an acceptable walking/cycling distance as stated in the Manual for Streets document. In respect of the public transport facilities the site is located in close proximity to bus routes and the Digby and Sowton railway station and therefore achieves an appropriate level of accessibility for the future residents. Consequently whilst the Build for

Life score in respect of the original submission was poor, it is anticipated that the combination of improvements to the pedestrian/cycle linkages and changes to the layout will result in a significant improvements. Members will be updated of the revised score at Committee.

Planning Obligation requirements - summary

If Members are minded to approve the application the following contributions/requirements will be required and secured by a Section 106 Agreement

Affordable Housing provision - 47 units on site and a financial contribution equivalent to 0.5 units

Highway contribution - improvements to Bridge Road (£345,000), cycle facilities within 1 km of the site (£125,000), pedestrian and cycle facilities around Digby Sowton Station (£100,000) and a contribution towards various elements contained in the Travel Plan for the site (£100,000). Total £670,000.

Safeguard highway access to the adjoining site.

Natura 2000 - £350 per unit - Total £66,500

Indoor sports facilities contribution - £674 per unit - Total £128,060

Community facilities contribution - £625 per unit - Total £118,750

Adult/recreation playing pitch contribution - £440 per unit - Total £83,600

Education Contribution - amount currently being discussed between County Education officer and developer

PLANNING MEMBER WORKING GROUP

6 March 2012 - Members received a presentation from the developers regarding the potential redevelopment of the site for residential use. It was explained that the site was no longer suitable for sand extraction and the engineering works involved in site preparation for industrial use would make the site unviable. It was outlined that the site would be located in a sustainable location through the provision of cycle and footpaths creating linkages to nearby facilities. It was stated that through extensive re-profiling the site would be capable of providing a range of houses.

SITE INSPECTION PANEL

3 April 2012 - Members visited the site, prior to the formal submission of the application, to gain a greater appreciation of the existing levels contained within the site and the relationship with adjacent uses.

RECOMMENDATION

Subject to the receipt and consideration of the suitable mix and location for the affordable housing and revisions to layout to achieve satisfactory residential amenity, the Assistant Director of City Development in consultation with the Chair of Planning Committee be authorised to grant **APPROVAL** subject to the completion of a Section 106 Agreement securing the affordable housing, highway contribution, education contribution, Natura 2000 contribution, indoor sports facilities contribution, community facilities contribution, playing pitch contribution and the need to safeguard a future road link and subject to the following conditions:

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 Assistant Director, City Development to REFUSE permission for the reason that inadequate provision has been made for the matters which were intended to be dealt within the Section 106 Agreement.

APPROVE subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of two 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) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) C23 - Permitted Development Restriction
- 6) C35 - Landscape Scheme
- 7) C36 - No Trees to be Felled
- 8) C37 - Replacement Planting
- 9) C38 - Trees - Temporary Fencing
- 10) C70 - Contaminated Land
- 11) 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.
- 12) A Construction Environmental Management Plans (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on either site, and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic, the effects of piling, and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.
Reason: In the interest of the environment of the site and surrounding areas.
- 13) Prior to occupation of the development hereby permitted, a travel pack shall be provided informing all residents of walking and cycling routes and facilities, and public transport routes and timetables, car sharing schemes, and the location of local and central shopping and leisure facilities, the form and content of which shall have previously been approved in writing by the Local Planning Authority.
Reason: To ensure that all occupants of the development are aware of the available sustainable travel options.
- 14) The development hereby approved shall not commence until details of the proposed

finished floor levels and overall ridge heights of the dwellings, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority.

Reason: In the interests of the residential amenities of future occupants.

- 15) C72 - Highway - Estate Roads etc
- 16) No part of the development hereby approved shall be occupied until the on-site parking facilities together with any means of access have been provided and surfaced in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 17) 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 on-site facilities are available for the construction traffic attracted to the site.
- 18) No development shall take place unless and until an Environmental Management Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.
Reason: To ensure that the wildlife opportunities associated with the site are maximised in the interests of biodiversity.
- 19) No dwelling hereby approved shall be occupied until the applicant has submitted a SAP calculation which demonstrates that, through the use of decentralised energy or local energy networks and/or renewable or low carbon energy sources, a 10% reduction in CO2 emissions over that necessary to meet the requirements of the Building Regulations current at the time of Building Regulations approval can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site.
Reason: In the interests of sustainable development.
- 20) Any individual dwelling hereby approved shall achieve a Code Level 3 (including a 25% C02 emissions rate reduction from Part L 2006) as a minimum, but shall achieve a Code Level 4 (including a 44% C02 emissions rate reduction from Part L 2006) if commenced on or after 1 January 2013, and a Code Level 5 (Zero Carbon) if commenced on or after 1 January 2016, in accordance with the requirements of the Code for Sustainable Homes 2006 and the Code for Sustainable Homes Technical Guide November 2010 (or such equivalent standard that is approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15. No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that a Final Code of 3, 4 or 5 has been achieved as appropriate.
Reason: In the interests of sustainable development.
- 21) No building shall be occupied, and no connection to the public sewerage system shall take place, until all improvements to the public sewerage network rendered necessary for the occupation of that part of the development have been completed and confirmed in writing by the Local Planning Authority (in consultation with South West Water) as being satisfactory.
Reason: To ensure that the public foul sewer network has sufficient capacity to

serve the proposals.

- 22) Notwithstanding condition no. 2 no work shall commence on site under this permission until full details of the sound insulation measures have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
Reason: Insufficient information has been submitted with the application and in the interests of residential 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 7

ITEM NO. 7

COMMITTEE DATE: 29/10/2012

APPLICATION NO: 12/0920/03 FULL PLANNING PERMISSION

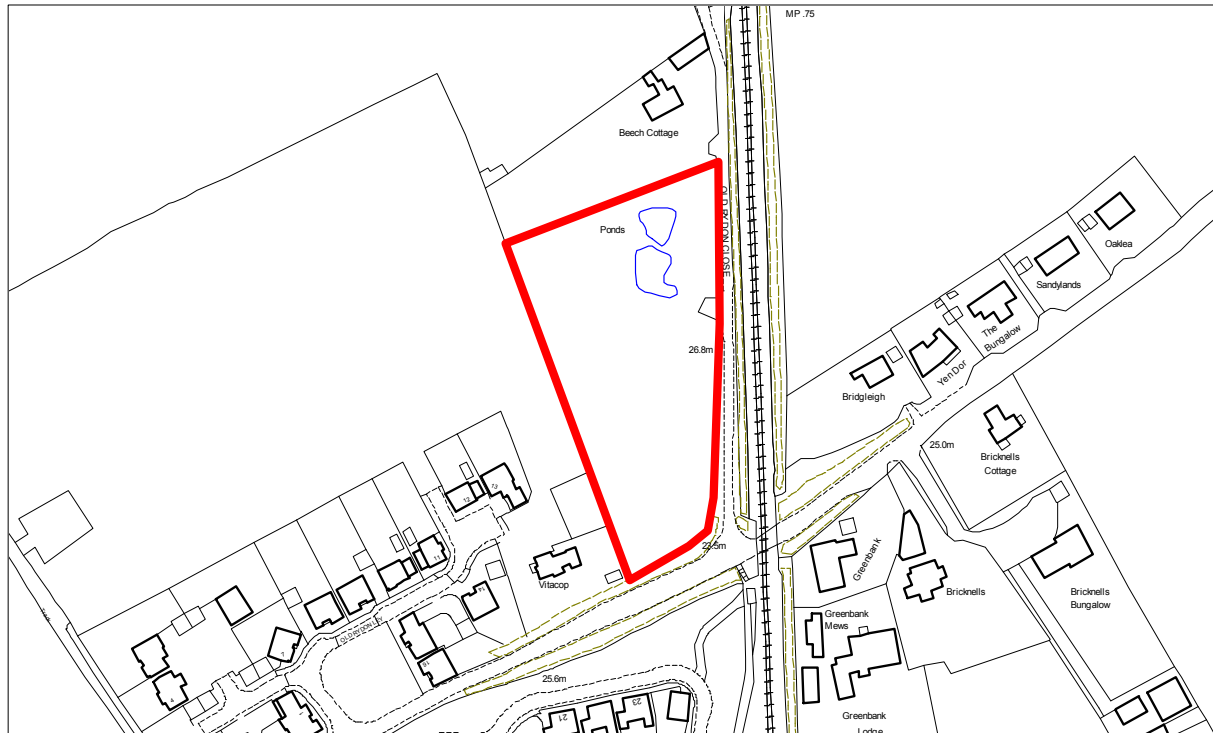
APPLICANT: Mr Dunlop
Barratt Homes Exeter

PROPOSAL: Residential development of 16 dwellings, access, parking, landscaping and associated works

LOCATION: Land adj., Beech Cottage, Old Rydon Close, Exeter, EX2 7JR

REGISTRATION DATE: 26/06/2012

EXPIRY DATE: 25/09/2012



Scale 1:3000

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HISTORY OF SITE

06/0899/01 -	Residential development to provide 30 dwellings, pedestrian and vehicular access to highway (siting, design, landscaping and external appearance reserved for future consideration)	REF	30/06/2006
07/2169/01 -	Residential redevelopment (all matters reserved for future consideration)	PER	17/05/2010

In dismissing the appeal against refusal of a scheme for 30 dwellings on this site in May 2012, the Inspector recognised that the principle of residential development was acceptable, but he was concerned about the proposed access (albeit temporary), and that the illustrative layout did not demonstrate a suitably high quality design.

DESCRIPTION OF SITE/PROPOSAL

The site comprises an area of land of approximately 0.8 ha, bounded by Old Rydon Lane to the south, Old Rydon Close to the east, and residential properties to the north (Beech

House) and west (Old Rydon Ley). The road frontages contain a number of mature trees set on embankments with the roads set at a lower level. To the east of Old Rydon Close is a railway embankment and local branch line railway track.

Full planning permission is sought for 16 detached dwellings (11 x four-bed and 5 x five-bed), in association with the 233 dwelling residential development of land to the east, which was the subject of a recent resolution to approve a reserved matters application. There is a Planning Committee resolution to approve the application on the adjoining land. Access to the proposal will be from the west through the adjoining development site.

The proposed dwellings are 2 and 2.5 storeys (i.e., they have additional rooms in the roof space which makes them slightly higher, but not a full 3 storeys) of conventional design, with detached double garages. Materials are a mixture of brick and render with some timber cladding. Roof materials are unspecified.

No public open space is provided within the site on the basis that it will be developed in association with the land to the east, which has open space which will also serve this scheme.

The land was allocated for residential development in the Exeter Local Plan 1995-2011.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Planning Statement
- Design and Access Statement
- Ecological Impact Assessment
- Flood Risk Assessment
- Land Contamination Assessment
- Noise Impact Assessment
- Transport Assessment
- Statement of Community Involvement

REPRESENTATIONS

None.

CONSULTATIONS

Network Rail objects to the application on the grounds that "the proposed development will significantly increase the use of the private footpath level crossings known as Bolts Park Crossing which may have safety implications due to the envisaged increase in the usage.

The increased use of the crossings cannot be looked upon favourably by Network Rail and some form of mitigation may be justified to reduce any safety concerns. Network Rail is likely to withdraw an objection if an acceptable solution can be found regarding the potential safety issues associated with the increased use of the level crossing which would potentially include the applicant and owner of the crossing agreeing to the closure of the private footpath level crossing at the developer's expense."

Natural England makes general comments about biodiversity and opportunities for enhancement.

The **Environment Agency** raises no objections to the proposal.

The **County Highways and Transportation Officer** raises no objection subject to conditions requiring further technical details of the proposed highway and provision of on-site parking facilities.

The **County Children's Services Officer** recommends a contribution towards primary and secondary education infrastructure is sought.

The **Assistant Director Housing** advises that a commuted sum will be accepted on this land in lieu of on-site provision of affordable housing.

The **Assistant Director Public Realm** raises no objections in relation to public open space on the basis that this development would share open space with the associated development to the west, which is acceptable. Further information is required relating to drainage to be satisfied that flood risk is minimised. Development should not commence until water receiving attenuation facilities are provided on the adjoining site.

The **Assistant Director Environment** requests further information relating to contaminated land and noise. If this information is provided and is satisfactory, conditions are recommended relating to construction/demolition hours, provision of a Construction Environmental Management Plan, contaminated land and noise.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

Exeter Local Development Framework Core Strategy

- CP1 - The Spatial Approach
- CP3 - Housing Distribution
- CP4 - Density
- CP5 - Meeting Housing Needs
- CP9 - Transport
- CP14 - Renewable and Low Carbon Energy
- CP15 - Sustainable Construction
- CP16 - Green Infrastructure
- CP17 - Design and Local Distinctiveness
- CP18 - Infrastructure
- CP19 - Strategic Allocations
- CP7 - Affordable Housing

Devon County Structure Plan 2001-2016

- ST1 - Sustainable Development
- ST4 - Infrastructure Provision
- ST10 - Exeter Principle Urban Area
- ST11 - Exeter PUA Housing and Employment Provision
- ST18 - Affordable Housing
- CO6 - Quality of New Development
- CO8 - Archaeology
- CO9 - Biodiversity and Earth Science Diversity
- TR1 - Devon Travel Strategy
- TR2 - Coordination of Land Use/Travel Planning
- TR4 - Parking Strategy, Stands and Proposals
- TR5 - Hierarchy of Modes and Transport Assessment
- TR7 - Walking and Cycling
- TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011

- AP1 - Design and Location of Development
- AP2 - Sequential Approach
- H1 - Search Sequence
- H2 - Location Priorities
- H3 - Housing Sites
- H6 - Affordable Housing

H7 - Housing for Disabled People
L4 - Provision of Playing Pitches
T1 - Hierarchy of Modes
T2 - Accessibility Criteria
T10 - Car Parking Standards
T3 - Encouraging Use of Sustainable Modes
C5 - Archaeology
EN2 - Contaminated Land
EN3 - Air and Water Quality
EN4 - Flood Risk
EN5 - Noise
EN6 - Renewable Energy
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
DG7 - Crime Prevention and Safety
KP8 - Newcourt Area

Exeter City Council Supplementary Planning Document

Residential Design
Affordable Housing (Draft)
Newcourt Master Plan

OBSERVATIONS

Background

This scheme is intrinsically related to the development of the adjoining land to the west. Logically the development of this site would form part of the same application as the proposals to develop that land. However, there is already an outline planning permission for that land, and therefore it has been necessary to submit this full application for 16 dwellings to run alongside the reserved matters application for the rest of the development.

Members resolved to approve the reserved matters application for the adjoining land referred to above at the Planning Committee meeting on 3 October 2012.

Design/layout

The house types and street scene arrangement are a continuation of that on the adjoining site, which Members have already resolved to approve. The houses are large and generally have substantial gardens.

The proposal complies with the space standards set out in the Residential Design SPD. The scheme has been assessed as scoring 15 ('Good') by the Building for Life Assessor.

Transportation

By accessing the development only through the adjoining development site, the Appeal Inspector's concerns about access are overcome. Development of the site in accordance with the current application is dependent on prior development of the adjoining site (at least in terms of provision of highways infrastructure) as there is no alternative means of access. Parking provision is appropriate.

Network Rail's concerns have been raised with the applicant and a response is awaited.

Open space

This scheme has been prepared simultaneously with the scheme to develop the adjoining land, and the public open space is adequate to serve the development as a whole. The public open space area is 10 per cent of the total site area of this and the neighbouring site.

A further 0.54 hectares is to form a wildlife corridor area along the southern boundary. The public open space is distributed throughout the overall development site, and includes a linear space along the northern boundary, a central open space and a local area to the west. A coloured plan indicating the extent and distribution of the open space will be displayed at the Planning Committee meeting.

Trees

The applicant has agreed to mark out the position of proposed buildings on the site to demonstrate that there will be no harm to any trees worthy of retention on the eastern site boundary. Confirmation from the Tree Officer that the proposal is acceptable is awaited.

Biodiversity

An Ecological Management Plan has been submitted by the applicant which seeks to ensure that features of biodiversity value are retained, enhanced and protected. This plan is acceptable, and a condition is recommended to secure its implementation.

Sustainability

Conditions are recommended to ensure that the proposal complies with the appropriate level of the Code for Sustainable Homes and is a low carbon development.

Section 106

A legal agreement will be necessary to secure financial contributions towards:

- affordable housing in lieu of on-site provision
- education infrastructure
- mitigation of the impact of development on Natura 2000 sites within 10km
- indoor leisure facilities (£675 per dwelling)
- community facilities (£625 per dwelling)

It will also secure production and implementation of a Green Travel Plan.

SOUTHERN AREA WORKING PARTY

Members supported the application in principle and noted that it would be determined at a future Planning Committee meeting.

RECOMMENDATION

Subject to completion of a Section 106 Agreement relating to the items identified above,

APPROVE subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of two 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) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) C57 - Archaeological Recording
- 6) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of the dwellings, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in

writing by, the Local Planning Authority.

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

- 7) C35 - Landscape Scheme
- 8) C37 - Replacement Planting
- 9) C38 - Trees - Temporary Fencing
- 10) C72 - Highway - Estate Roads etc
- 11) No part of the development hereby approved shall be occupied until the on-site parking facilities together with any means of access have been provided and surfaced in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 12) 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 on-site facilities are available for the construction traffic attracted to the site.
- 13) Unless otherwise agreed in writing, prior to first occupation of more than eight of the dwellings hereby permitted, the road link between plots 48 and 49 shall be constructed up to, and contiguous with, the boundary line dividing the application site from the land to the immediate north, and the 3 metre wide pedestrian and cycle link between plots 45 and 46 shall be constructed up to the surfaced public highway in Old Rydon Close, both in accordance with details to be approved pursuant to condition 10.
Reason: To ensure that appropriate connections are made between the site and adjoining land in the interests of promoting the use of sustainable modes of transport in accordance with policies T1 and T3 of the adopted Exeter Local Plan First Review and policy CP17 of the Exeter Local Development Framework Core Strategy.
- 14) 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 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.
- 15) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be

submitted to and approved, in writing, by the Local Planning Authority.

Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.

- 16) A Construction and Demolition Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and adhered to during the construction period. This should include details of the monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and emissions of noise and dust. This should include details of the phasing and timing of work and measures that will minimise the impact of construction traffic on the local road network, including parking. The CEMP should contain a procedure for handling and investigation complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development, in order to discuss forthcoming work and its environmental impact.
Reason: To minimise the potential for disruption during the construction process.
- 17) Unless otherwise agreed in writing, construction/demolition work shall not take place outside the following times; 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interest of residential amenity.
- 18) The development shall be carried out in accordance with the Ecological Management Plan prepared by EAD Ecological Consultants, and received by the City Council on 25 June 2012.
Reason: In the interests of protecting and improving existing and creating new wildlife habitats in the area.
- 19) No dwelling hereby approved shall be occupied until the applicant has submitted a SAP calculation which demonstrates that, through the use of decentralised energy or local energy networks and/or renewable or low carbon energy sources, a 10% reduction in CO2 emissions over that necessary to meet the requirements of the Building Regulations current at the time of Building Regulations approval can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site.
Reason: In the interests of sustainable development.
- 20) Any individual dwelling hereby approved shall achieve a Code Level 3 (including a 25% CO2 emissions rate reduction from Part L 2006) as a minimum, but shall achieve a Code Level 4 (including a 44% CO2 emissions rate reduction from Part L 2006) if commenced on or after 1st January 2013, and a Code Level 5 (Zero Carbon) if commenced on or after 1st January 2016, in accordance with the requirements of the Code for Sustainable Homes 2006 and the Code for Sustainable Homes Technical Guide November 2010 (or such equivalent standard that is approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15. No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that a Final Code Level of 3, 4 or 5 has been achieved as appropriate.
Reason: In the interests of sustainable development.
- 21) The Local Planning Authority shall be notified in writing of the identity of all dwellings for which construction has commenced before 1st January 2013, and of the identity of all dwellings for which construction has commenced thereafter but before 1st January 2016, within 10 working days following each of those dates.
Reason: In the interests of sustainable development.

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

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

Agenda Item 8

ITEM NO. 8

COMMITTEE DATE: 29/10/2012

APPLICATION NO: 11/1922/03 **FULL PLANNING PERMISSION**
APPLICANT: YHA (England & Wales) Ltd.
PROPOSAL: Change of use and conversion of Youth Hostel to 10 self contained apartments and 1 dwelling, alterations to access and highway, alterations to roof, parking and associated works
LOCATION: Mount Wear House, 47-49 Countess Wear Road, Exeter, EX2 6LR
REGISTRATION DATE: 02/12/2011
EXPIRY DATE: 02/03/2012



Scale 1:2500

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DESCRIPTION OF SITE/PROPOSAL

The proposal relates to a large detached Grade II Listed Building, which is currently occupied by the Youth Hostel Association. The building is situated on land that overlooks the Exe estuary. The original part of the building, which was L-shaped, was constructed in the late seventeenth century. It is brick built but was given a plaster and stucco finish in the eighteenth century. In the late nineteenth century, the property was extended eastwards, with a ground floor and two storey extension, to create a Z-shape. Subsequently, the property has been subjected to a range of unsympathetic alterations and extensions, which have been harmful to the overall historic character and appearance of the building. Notwithstanding this, the building retains some features of historic interest. Externally, the north (front) elevation, which contains the oldest parts of the house, is particularly noteworthy with its modillion cornice, rusticated quoins and plasterwork and central decorative feature. Internally, the rooms of most significance are on the ground floor of the original part of the building. Here can be found 18th century panelling and corning as well as various window shutters, architraves and coving. Elsewhere, only fragments of historic interest remain.

There are a number of other buildings within the site of Mount Wear House. At the rear, there is an 18th century dwelling with various later extensions. It is now known as the Manager's

House. To the north, the property adjoins a barn containing some cob walling and a cobbled floor. To the south, it adjoins a stable.

One other building of note is the Coach House, which is located on the boundary with No. 51 Countess Wear Road and is just beyond the gate pillared entrance to the Youth Hostel site. This retains some cob walling at the rear.

The area outside the north elevation of the main property is given over to grass and some limited landscaping. The remainder of the site largely consists of hard surfacing.

This application seeks planning permission to alter and change the use of the main building to 10 self-contained flats. Various alterations are also proposed to the Manager's House. The Coach House will be converted to a bicycle and bin store.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Design and Access Statement is enclosed with the application. The main points to note are:-

- The conversion will create five one-bedroom apartments, four two-bedroom apartments and one three-bedroom apartment. The existing detached manager's cottage will be retained to form a four-bedroom dwelling.
- The modern single storey extension on the southern elevation will be removed and replaced with a splayed boundary wall to match existing. This will improve the appearance of the building and markedly increase the vehicular egress visibility to the north. The porch will also be removed.
- On the manager's cottage, the flat roof extension, porch, conservatory, timber storage shed and greenhouse will be removed.
- The existing cluttered roof arrangement on the oldest part of the building will be altered and simplified. The two storey flat roof extension on the south elevation will be given a duo-pitch. Various repairs and renovations will be undertaken to roofs across the site using natural slates.
- Guttering in poor condition and plastic guttering will be replaced with black cast-iron guttering.
- Repairs and renovations to rendering will be undertaken where necessary. All external walls will have stipple-finish render to match the oldest parts of the building.
- Windows in poor condition and uPVC windows will be replaced with traditional timber windows. New and replacement doors will also be in a traditional timber style.
- 17 car parking spaces and 1 garage are provided. Adequate on-site vehicle turning, manoeuvring and passing areas have been provided. Just beyond the site access, a widening of the on-site access drive has been provided to enable two vehicles to pass in opposite directions without the need for the incoming vehicle to reverse onto the public highway.
- A generous shared amenity space is provided in the northern garden area. The cottage will retain its own garden space.
- Bin and bicycle storage facilities are provided in the existing coach house.

Other documents submitted with the application include:-

Access Statement - This considers the implications of the development on the highway. It is considered that the proposed use would not generate a significantly larger amount of traffic than the Youth Hostel. Indeed, the proposed use would be less likely to attract larger vehicles to the site such as coaches and mini-buses. Highway safety would be enhanced by means of a formal priority system on the road and the introduction of visibility splays at the site entrance.

Statement of Heritage Assets - This details the history of the building and sets out features of historic note across the site.

Wildlife Survey Report - A survey was carried out in September 2010. No evidence was found to suggest that bats are roosting on the site. However, there are potential roost areas that could be used by crevice dwelling bats. Therefore, it is recommended that further survey work is carried out prior to any works proceeding. Some mitigation and enhancement measures are recommended. In respect of birds, some housemartins activity was identified on site. Works to the building should be carried out between end of September and end of February to avoid the breeding season. Mitigation and enhancement measures, including provision of swift boxes and sparrow terraces, are recommended.

REPRESENTATIONS

4 representations received. The main matters raised are:-

- It is important to ensure there is adequate on-site parking for 22 vehicles (2 spaces per flat).
- It is necessary to prevent access to Countess Wear Road from Bridge Road in order to address traffic problems in the road.
- The proposed narrowing of the road would restrict vision of approaching traffic and increase highway dangers in this area.
- The road would not meet the recommended width as advised by the local Fire Officer.
- It is odd to give priority to those heading towards School Lane as the majority of traffic flows in the opposite direction. This will further encourage those who continue to enter Countess Wear Road illegally from the bypass.
- The proposal will create additional parking problems for existing residents.
- To maintain privacy and quiet at No. 51 Countess Wear Road, there should be an additional line of noise reducing fencing adjacent to the parking spaces shown alongside the garden boundary.
- The building to be demolished next to the building named 'Bicycle Store' provides the current walled boundary between the Youth Hostel and 51 Countess Wear Road. The replacement boundary needs to be of at least the existing standard and needs to be agreed with the owners of 51 Countess Wear Road.
- The safety arrangements during the demolition need to be robust.
- The boundary walls that form a direct boundary with 51 Countess Wear Road must not have any windows overlooking the neighbouring garden.

The Wear United Community Centre Co-Ordinator requests a contribution towards a community centre project in the area.

CONSULTATIONS

The County Director Planning, Transport and Environment supports the proposals to improve visibility by removing an existing single storey extension and creating a narrowing of the carriageway on the Countess Wear Road frontage with a priority traffic flow system. It is recommended that these off-site facilities are secured through a Section 106/278 agreement. During the construction of these facilities, the one-way restriction at the southern end of Countess Wear Road may need to be suspended temporarily to permit access to residents from Bridge Road. The on-site parking provision and cycle storage facilities are also considered acceptable. Three conditions are recommended relating to the visibility splay and to ensuring that adequate on-site areas are available for operatives' vehicles, construction plant and materials.

The Council's Environmental Health team suggests a condition on any approval relating to hours of construction.

The Council's Projects and Business Manager objects to the application as Policy T3 of the Exeter Local Plan requires that storage for 13 bicycles should be provided. Only 11 are provided here. He considers that the proposed store should be able to accommodate 12 bicycles. Separate provision should be provided for the Manager's House. The proposed build-out into the carriageway needs to be designed so as to be usable by pedestrians, with a dropped kerb at either end.

The Council's Recycling Officer is concerned that the space in the bin store might not be adequate. The bins would need to be stored around the edges of the building so that they could be accessed at all times. The doors must be wide enough to get the bins out easily and the access must be flush with the ground.

The Council's Archaeology Officer recommends that a condition is added to any approval to ensure archaeological recording is carried out during the construction/conversion phase.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework

Devon County Structure Plan 2001-2016

CO6 - Quality of New Development

CO7 - Historic Settlements and Buildings

TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Development Framework: Core Strategy Development Plan Document

CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

H1 - Search Sequence

H2 - Location Priorities

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T10 - Car Parking Standards

C2 - Listed Buildings

C5 - Archaeology

DG1 - Objectives of Urban Design

DG4 - Residential Layout and Amenity

Exeter City Council Supplementary Planning Document

Residential Design

Planning Obligations

Affordable Housing

OBSERVATIONS

The proposal relates to the conversion of the existing Youth Hostel into 10 self contained residential units. The building is located within a predominantly residential area and accordingly the principle of residential development is considered appropriate. The principal issues are therefore the impact of the conversion on the historic fabric of this Grade II listed building, the compliance of the rooms with the Residential Design Supplementary Planning Document and the impact of the proposal on the existing highway network in this location. The application was initially subject to the provision of affordable housing but given recent changes to the Affordable Housing SPD this requirement is no longer applicable as the proposed number of units is less than 15.

This planning application has not been accompanied by a listed building application which would be required to carry out the building works for conversion. However the proposal has been assessed in terms of its impact on the internal fabric of the listed building and the Conservation officer has been involved with detailed discussions with the agent to ensure that the works are appropriate. Whilst the original scheme submitted in December 2011 was

considered to be unacceptable, subsequent discussions have resulted in significant changes which, in principle, resulted in an appropriate scheme in respect to the physical changes to the internal arrangement of the building. Clearly the listed building application will enable more specific issues to be identified and may require the imposition of more detailed conditions.

The application has been assessed against the Residential Design SPD in terms of both internal and external standards. It is recognised that the scheme as revised still falls short of some of the standards identified in the Residential Design SPD to achieve good amenity standards for future residents. However it is accepted that conversion of buildings provides more limited opportunity to meet all the stated standards and also the specific requirements of the listed building status represent a significant factor in this consideration. Consequently, in this instance, it is considered that the proposed makes the most appropriate use of the available space for the specified number of units without compromising the integrity of the listed building. In respect of the external space provided it is noted that there is a shortfall of amenity provision which is presented on a communal basis. However it is considered that the provision of communal space is preferable in respect of the setting of the listed building and given that no additional space is available within the site, this shortfall is not considered of such a level to warrant refusal.

Local residents have highlighted concerns regarding that the existing Youth Hostel's access to Countess Wear Road which has restricted visibility for and of emerging vehicles in the northerly direction. The County Director Planning, Transport and Environment state that to accommodate the domestic traffic that the proposed development is likely to generate and/or attract to this site, improvements to visibility need to be incorporated in the scheme by removing an existing single storey extension and creating a narrowing of the carriageway on the Countess Wear Road frontage with a priority traffic flow system. The introduction of these visibility improvements together with a traffic priority system is acceptable from a highway view and it is recommended that the provision of these off-site facilities is secured by a Section 106 Agreement. In addition, the on-site parking provision comprising seventeen spaces (one allocated space per flat and one visitor space per two flats and two spaces for the cottage) together with cycle parking facilities complies with current recommendations for this area of the City and is acceptable from a highway view. A condition is recommended to secure the provision of the parking facilities before the occupation of each residential unit. In response to the issue raised from local residents regarding the inability of the road to accommodate a fire engine, further clarification is required and Members will be updated at the Committee.

In summary, it is considered that the proposed change of use represent an appropriate conversion of the building and will ensure that the future fabric of this listed building is safeguarded. The scheme has been subject to detailed negotiation between officers and the agent to achieve an acceptable scheme. A Section 106 Agreement will be required to promote a financial contribution towards Natura 2000 (£3500), indoor sports facilities contribution (£6740) and Community facilities contribution (£6250) and to provide the off site highway works as identified by the County Director Planning, Transport and Environment. Accordingly it is considered that the application should be approved.

RECOMMENDATION

APPROVE subject to the completion of a Section 106 Agreement securing Natura 2000 contribution, indoor sports facilities contribution and community facilities contribution and off site highway works, and subject to the following conditions:

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 Assistant Director, City Development to REFUSE permission for the reason that inadequate provision has been made for the matters which were intended to be dealt within 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) C57 - Archaeological Recording
- 7) A visibility splay shall be provided, laid out and maintained for that purpose at the access to Countess Wear Road where the visibility splay provides 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 17.8 metres in a northerly direction.
Reason: To provide visibility from and of emerging vehicles.
- 8) No part of the development hereby approved shall be occupied until the access to Countess Wear Road, visibility splay and on-site parking facilities have been provided and marked out in accordance with details that shall previously have been submitted to, agreed and approved in writing by, the Local Planning Authority and retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 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 period of construction works.
Reason: To ensure that adequate facilities are available for the construction traffic attracted to the site, in the interest of public safety.
- 10) 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.

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

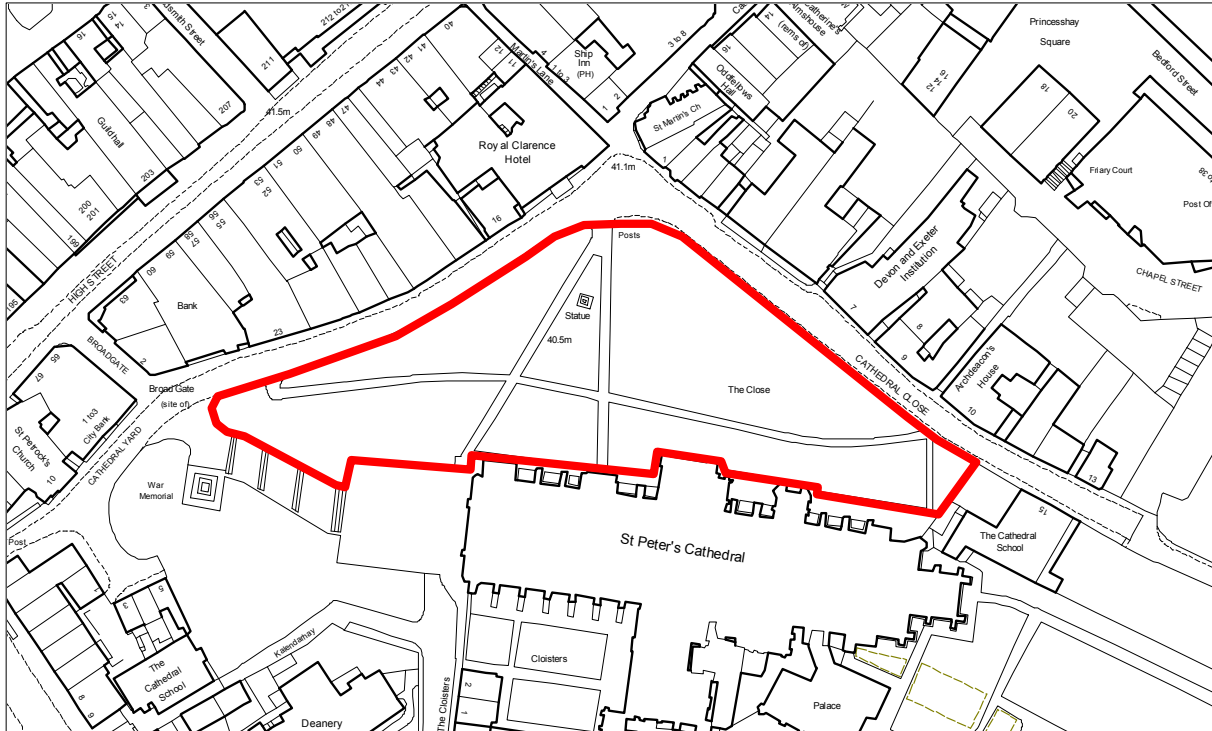
Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

Agenda Item 9

ITEM NO. 9

COMMITTEE DATE: 29/10/2012

APPLICATION NO: 12/1342/03 **FULL PLANNING PERMISSION**
APPLICANT: Mr P Snell
PROPOSAL: Annual Christmas market of up to 30 days to run for 5 years
LOCATION: Cathedral Green, Cathedral Close, Exeter, EX1
REGISTRATION DATE: 24/09/2012
EXPIRY DATE: 19/11/2012



Scale 1:2000

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HISTORY OF SITE

09/1640/07 - Landscaping to north side of Cathedral Green to include relocation of Hooker Statue, provision of additional seating and planting of trees. PER 21/12/2009

DESCRIPTION OF SITE/PROPOSAL

The Cathedral precinct is Exeter's premier heritage tourism area, encompassing some of the City's best heritage assets. The ruins of a Roman Bath House, to the west of the Cathedral in Cathedral Green, were excavated and were preserved by burial in sand. The Cathedral precinct is at the core of the city centre well related to the City's retail area and easily accessible.

Enhancements to Cathedral Yard and Green have been carried out over previous years to improve the public realm and restrict vehicular movements. These have delivered a high quality pedestrian dominated space.

The proposal is to hold a seasonal Christmas market on part of the Cathedral Green for up to 30 days during November and December. The application is made for a temporary period of 5 years. The application is therefore made for the use of part of the Cathedral Green for retail purposes. No part of the proposal constitutes operational development.

The exact operating dates will vary in each year. For 2012 it is proposed that the market commences trading on Friday 23rd November, with Sunday 16th of December being the final trading day.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by a supporting statement setting out the consultations carried out by the applicant, addressing design matters, protection and remediation of surfaces, the function and operation of the market.

The market would be operated by Market Places Europe Limited working with a project team including representatives from the Cathedral, Chamber of Commerce and City Council.

Background music and entertainment in the form of buskers and performers may be provided. A premises licence for entertainment and alcohol consumption is required.

Deliveries would take place within current restrictions on Cathedral Yard. Pedestrian routes across Cathedral Green to access the Cathedral will be kept open.

The market operator intends to appoint a waste contractor to handle waste and on site cleaning. Confirmation that such arrangements are in place can be secured by condition.

REPRESENTATIONS

The application has been advertised by site notice, press notice and neighbour letter. The consultation period ran until 25th October 2012.

Exeter Civic Society raise a number of concerns. The grass is likely to take a long time to recover at that time of year. Portaloos are unsightly, the public toilets at Catherine Street and Guinea Street should obviate the need for them. Generators as a means of providing electricity would be unacceptable. Buskers, alcohol licensing and music raise concern and would need considerable control. Waste disposal concerns are raised. Concerns regards vehicle servicing across pavement in South Street and in Cathedral yard. There should be transparency about the further discussions on these matters. Five years is wholly unacceptable, a one year trial is the most that should be permitted.

CONSULTATIONS

English Heritage: Given that the activities are taking place on the surface of the green, we do not consider that Scheduled Monument Consent (SMC) will be required, provided that a method statement is in place to ensure that no ground disturbance takes place that could potentially impact upon buried archaeology.

Devon Gardens Trust: No response received.

Garden History Society: No response received.

Consultations to the two bodies above were sent on 28th September 2012.

Environmental Health Officer: The provision of background music, control of buskers etc will be addressed through the licensing regime. Additional details requested to be approved (see condition 5). The hours of operation should be controlled to be as per the application documents (see condition 3).

Conservation Officer: Temporary structures that will be installed under strict guidelines from the Cathedral administration and will be on display for not more than 30 days per year. No

impact on fabric or character of Listed Building, limited impact on setting, allowable use due to temporary festive nature.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework.

Sections 2 - Ensuring the vitality of town centres.

Section 12 - Conserving and enhancing the historic environment.

Exeter Local Development Framework Core Strategy

CP8 - Retail

CP17 - Design quality and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

C1 - Conservation Areas

C2 – Listed Buildings

C4 - Historic Parks and Gardens

C5 - Archaeology

S1 - Retail Proposals /Sequential Approach

S5 - Food and Drink

L3 - Protection of Open Space

TM3 - Tourism Action Areas

OBSERVATIONS

The National Planning Policy Framework recognises the need to ensure the vitality of town centres and supports the creation of new markets where appropriate to that end.

Policy TM3 of the Exeter Local Plan identifies the Cathedral precinct as at Tourism Action Area where permission will be granted for tourist attractions provided that they are of distinctive design which conserves or builds on the heritage or character of that area.

The desirability of preserving heritage assets and their setting is set out in the National Planning Policy Framework and the policies of the Local Plan and Core Strategy.

Policy S5 of the Exeter Local Plan states that proposals for hot food takeaways will not be permitted in Cathedral Yard.

Heritage issues

The Cathedral and Cathedral precinct are assets of the highest significance and great weight needs to be given to the preservation of these assets and their setting. That said the proposals are temporary in nature with no intrusive works and as such represent no danger to the historic fabric or preserved archaeology.

The Cathedral Green is an important open space and is well used by the public. The proposals are to use the space for a market during November and December when weather conditions and visitor numbers depress the demand for informal public usage. The extent of the proposal would not include the hard surfaced space at the west door of the green area around the war memorial. Detailed layout could be controlled by condition to ensure that public use to the seating associated with the perimeter wall is not compromised (see condition 5).

The protection of ground surfaces in so far as is practicable, and the repair of damage to surfaces at the end of the market period can be secured by condition (see condition 7). Given the time of year and the duration of the market the repairs to grass areas would

require them areas to be cordoned off for several weeks following that repair. The green therefore could be visually restored but with public access onto the grass areas restricted.

Food and drink.

Policy S5 seeks to restrict hot food take away in Cathedral Yard. However the proposal in this instance is trading from stalls rather than shop units, is ancillary to the function of the market, is intended to sell mainly seasonal or speciality foods and would operate within the trading hours of the market. As such the food and drink element of the market is considered acceptable.

Details of design and layout.

The proposal is for a market principally for the sale of seasonal, specialist and craft products. Stalls are stated to be of a wooden chalet design which will be placed on the existing surface and not requiring fixing or tethering. There is intended to be provision of entertainment and food and drink for consumption ancillary to that main function. Temporary toilets will also be provided on site. The location and extent of land given over to such ancillary uses could be controlled by a condition to be a minor part of the area by requiring a detailed layout to be approved (see condition 5).

Residential amenity

A paramount consideration with this application is any potential impact on the amenities of the neighbouring occupiers, particularly residential occupiers. The design and access statement illustrates that the applicants have given this due thought in the process of submitting this planning application and have contacted local residents and businesses.

Servicing and opening times of the market will be controlled throughout the period sought (including set up and break down periods), waste collection and recycling will take place in accordance with agreed scheme required by condition (see condition 5).

The opening times for the market will vary throughout the duration of the event, but will start no earlier than 10am and (with the exception of the opening day where a 10 pm finish is proposed) will finish no later than 9pm Monday to Saturday, 5pm on Sundays and 6.15 pm on the final Sunday. This can be controlled by conditions (see condition 3).

The erection and dismantling of the market will carried out between 8 a.m. and 10 p.m. Again this is a matter that can be controlled by conditions (see condition 4).

The proposed Christmas Market, overall, will result in an intensified use of the site which along with the addition of amplified music will increase noise levels and activity. However the site is a city centre location and certain levels of noise and activity would be expected and it is considered that the impacts of the market operation on the residential amenity are not to such a degree as to be unacceptable.

Access and parking

The market is in an accessible location well served by all modes of transport including the existing drop off points for visitor coaches on South Street. Park and Ride services will be operating on an extended hours basis through the period of the market in 2012. No additional dedicated transport measures are proposed or considered necessary.

RECOMMENDATION

It is recommended that the application be approved for a temporary period of 30 consecutive days during November and December for the 5 years starting with 2012.

- 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 24 September 2012, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 2) The use hereby approved shall only be carried out for a single period of not more than 30 consecutive days during the months of November and December in the five calendar years commencing with 2012.
Reason: The use is unsuitable on a permanent basis or for a longer period in this locality.
- 3) The use hereby approved shall not be carried on other than between the hours of 10:00 to 21:00 Mondays to Saturdays and between the hours of 10:00 to 18:15 on Sundays and public or Bank Holidays, with the exception of the first day the market operates each year when the use may carry on until 22:00 unless that day is a Sunday.
Reason: So as not to detract from the amenities of the near-by residential property.
- 4) The works associated with assembling, dismantling and servicing of the Market shall not be carried out outside the hours of 08:00 and 22:00.
Reason: To safeguard the amenities of nearby occupiers
- 5) Notwithstanding condition no. 1, the use hereby permitted shall not commence on site in any given year under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details for that years market event:
 - The laying out of the market area including the position of the stalls and the area(s) given over for selling and of hot food and drink.
 - A scheme for the collection and disposal of waste and the cleaning of the market area.
 - Mean of power supply (including locations and sound levels of any generator(s))
 - Details of any general or flood lighting scheme.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.
- 6) The use hereby approved shall not be commenced until a scheme for the collection and disposal of waste and the cleaning of the market area have been submitted to and approved by the Local Planning Authority. The use hereby approved shall thereafter only be carried on in accordance with that scheme unless otherwise agreed in writing by the Local planning Authority.
Reason: To ensure the satisfactory drainage of the development.
- 7) Following the cessation of the market operation in each year the condition of the surfaces and street furniture in Cathedral Green shall be reinstated to their condition prior to the commencement of the works associated with the market that year to the satisfaction of the Local Planning Authority.
Reason: To protect the appearance of the Cathedral Green.

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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**EXETER CITY COUNCIL
PLANNING COMMITTEE
29 OCTOBER 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
- 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 Senior Area Planning Officer (Roger Clotworthy) or Assistant Director City Development (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
ASSISTANT DIRECTOR CITY DEVELOPMENT**

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Exeter City Council

29/10/2012

All Planning Decisions Made and Withdrawn Applications Between 20/9/2012 and 17/10/2012

Application Number: 12/1305/29 **Working Party Date:** 08/10/2012
Decision Type Raise No Objection **Decision Date:** 09/10/2012 DEL
Location: 39 Pinn Hill, Exeter, EX1 3TH
Proposal: Change of use from office to dwelling

ALPHINGTON

Application Number: 12/1142/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: Bristol Street Exeter, 14a Marsh Barton Road, Marsh Barton Trading Estate,
Exeter, EX2 8NT
Proposal: Extension to car showroom

Application Number: 12/1218/03 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 01/10/2012
Location: Land off, Grace Road, Marsh Barton Trading Estate, Exeter, EX2 8NH
Proposal: Variation of condition 2 to approve amended drawings to alter pitch of roof (Ref
No 10/0908/02 granted 30/09/2010)

Application Number: 12/1276/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 01/10/2012 DEL
Location: 43 Smith Field Road, Exeter, EX2 8YN
Proposal: Conservatory on rear elevation (Certificate of Lawfulness of Proposed
Development)

Application Number: 12/0970/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: BMW, Westerly, Matford Park Road, Marsh Barton Trading Estate, Exeter, EX2
8FD
Proposal: Internally illuminated fascia signs (3) on east, west and south elevations and
externally illuminated signs (2) on west elevation

Application Number: 12/1094/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: Gilbert House, Grace Road West, Marsh Barton Trading Estate, Exeter, EX2
8PU
Proposal: Change of use of first floor from office to nursery

Application Number: 12/1421/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: Land off, Grace Road West, Marsh Barton Trading Estate, Exeter, EX2
Proposal: Reinstate original gross internal floor areas (Non-Material Minor Amendment to
Planning Permission Reference No. 10/0908/02 granted 30.09.2010)

Application Number: 12/1161/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 21/09/2012 DEL
Location: 23 Courtenay Road, Exeter, EX2 8JX
Proposal: Ground floor rear extension (Certificate of Lawfulness of Proposed Development)

Application Number: 12/0890/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 24/09/2012 DEL
Location: 24 Chapel Road, Exeter, EX2 8TB
Proposal: Alterations to roof including increase in height and enlarged dormer on south and
north elevation

Application Number: 12/0514/03 **Working Party Date:** 03/07/2012
Decision Type Permitted **Decision Date:** 26/09/2012 COM
Location: Land bounded by Alphington Road, Ashton Road and, Marsh Barton Road,
Exeter, EX2
Proposal: Mixed use development comprising 3 new industrial/business units, 3 refurbished
industrial/business units, 4 restaurant/cafe units, all associated parking, servicing
and landscaping.

COWICK

Application Number: 12/0925/03 **Working Party Date:** 11/09/2012
Decision Type Refuse Planning Permission **Decision Date:** 05/10/2012 DEL
Location: Land rear 162 Newman Road, Exeter, EX4 1PQ
Proposal: Detached bungalow, parking and associated works

Application Number:	12/0960/03	Working Party Date:	11/09/2012	
Decision Type	Permitted	Decision Date:	05/10/2012	DEL
Location:	131 Cowick Hill, Exeter, EX2 9NN			
Proposal:	First floor balcony and balustrading on south west elevation			

Application Number:	12/1233/03	Working Party Date:		
Decision Type	Permitted	Decision Date:	05/10/2012	DEL
Location:	30 Dunsford Gardens, Exeter, EX4 1LN			
Proposal:	Two storey rear extension			

DURYARD

Application Number:	12/0963/03	Working Party Date:		
Decision Type	Permitted	Decision Date:	01/10/2012	DEL
Location:	Echo Studios, Unit 1, Cowley Bridge Road, Exeter, EX4 5HZ			
Proposal:	Change of use from recording studio to brewery and associated alterations			

Application Number:	12/1212/04	Working Party Date:		
Decision Type	Refuse Planning Permission	Decision Date:	01/10/2012	DEL
Location:	143 and 145 Pennsylvania Road, Exeter, EX4 6DZ			
Proposal:	Tree Species Works T1 Ash Fell			

Application Number:	12/1131/03	Working Party Date:		
Decision Type	Permitted	Decision Date:	05/10/2012	DEL
Location:	19 Woodleigh Close, Exeter, EX4 5AS			
Proposal:	Ground floor side extension			

Application Number:	12/1190/03	Working Party Date:		
Decision Type	Permitted	Decision Date:	05/10/2012	DEL
Location:	Hope Hall and surrounding buildings, University of Exeter, Prince Of Wales Road, Exeter, EX4 4PL			
Proposal:	Amendment to street lighting			

Application Number: 12/0582/03 **Working Party Date:** 01/06/2012
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: Lower Grafton Road, Exeter, EX4
Proposal: Improvements including resurfacing, lighting bollards and handrail

Application Number: 12/1241/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: Pennsylvania House, Higher Duryard, Pennsylvania Road, Exeter, EX4 5BQ
Proposal: Tree Species Works
 T1 Monterey Pine Fell

EXWICK

Application Number: 11/1582/03 **Working Party Date:** 15/11/2011
Decision Type Permitted **Decision Date:** 01/10/2012 COM
Location: Former Guide Dogs For The Blind Kennels, Exwick Lane, Exeter, EX4 2AR
Proposal: Residential development consisting of ten detached dwellings, associated parking, garages and access.

Application Number: 12/1165/26 **Working Party Date:** 11/09/2012
Decision Type Raise No Objection **Decision Date:** 03/10/2012 COM
Location: Former Kennels Site, Exwick Lane, Exeter, EX4 2AP
Proposal: Demolition of existing former kennels buildings to provide a new six classroom teaching building with associated teaching accommodation, covered play area, parking and landscaping.

HEAVITREE

Application Number: 12/0975/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 9 Church Street, Heavitree, Exeter, EX2 5EH
Proposal: Rebuilding of toilets, insulation and replacement conservatory

Application Number: 12/1227/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 16/10/2012 DEL
Location: 52 Sweetbrier Lane, Exeter, EX1 3AQ
Proposal: Ground floor single storey rear extension including roof lights. (Certificate of Lawfulness of Proposed Development)

MINCINGLAKE

Application Number: 12/1141/03 **Working Party Date:** 10/09/2012
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 9 Badon Close, Exeter, EX4 9EG
Proposal: Attached dwelling, access to highway and associated works

Application Number: 12/1043/03 **Working Party Date:** 10/09/2012
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: The Atkinson Centre, The Atkinson Unit, Beacon Lane, Exeter, EX4 8NA
Proposal: Ground floor infill extension

NEWTOWN

Application Number: 12/2506/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 27/09/2012 DEL
Location: Iddesleigh House, 97 Heavitree Road, Exeter, EX1 2NE
Proposal: T1 Sycamore Crown raise to approximately 6m above ground level, removing 8-10 branches, maximum of 10cm diameter, back to the trunk. Cut back any remaining foliage to give 3metre clearance off the building. The reason for this is the dominance of the tree. T2 Bay Fell for safety reasons. T3 Holly Fell for safety reasons. T4 Sycamore Cut back branches extending towards building to give a 4 metre clearance. The reason for this is the dominance of this tree. T6 Sycamore Cut back all branches encroaching on building to give a 2-3 metres clearance off the building. The reason for this is dominance of this tree.

Application Number: 12/1244/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/10/2012 DEL
Location: 10 Clifton Hill, Exeter, EX1 2DL
Proposal: Tree Species Works
T1 Sycamore Remove deadwood from lower levels removing up to 5 branches

PENNSYLVANIA

Application Number: 12/1103/03 **Working Party Date:** 10/09/2012
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: 64 Sylvan Road, Exeter, EX4 6HA
Proposal: Ground floor extension to north and west elevations

Application Number: 12/1104/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: 64 Sylvan Road, Exeter, EX4 6HA
Proposal: Variation of condition one of Ref. 79/0228/03 to allow use as non-residential school for 66 students

Application Number: 12/1154/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: 39a Sylvan Road, Exeter, EX4 6EY
Proposal: Replacement ground floor rear extension and rear dormer window

Application Number: 12/1195/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/10/2012 DEL
Location: 2, Higher Duryard, Pennsylvania Road, Exeter, EX4 5BQ
Proposal: Tree No Species Works
T1 Monterey Pine Thin primary low branch by 30% removing material no greater than 7-10cm in diameter.
Remove major deadwood over road.
T2 Monterey Pine Remove major deadwood over road
T3&T4 Monterey Cypress Remove die back from the top of trees and remove other major deadwood

Application Number: 12/1238/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: 2 Whitethorn Park, Pennsylvania Road, Exeter, EX4 5BL
Proposal: Two storey side extension with garage

Application Number: 12/1262/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: 20 Florida Drive, Exeter, EX4 5EX
Proposal: Single garage to side of dwelling

PINHOE

Application Number: 12/1027/04 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 04/10/2012 DEL
Location: Peterhayes, Park Lane, Exeter, EX4 9HQ

Proposal: Tree Species Works
T1 - T7 Monterey Cypress Fell
T8 - T9 Monterey Cypress Remove deadwood and remove up to 6 branches
overhanging Pinn Hill
T10 Ash Fell

Application Number: 12/1016/03 **Working Party Date:** 13/08/2012
Decision Type Permitted **Decision Date:** 05/10/2012 COM
Location: Former Istock Brickworks Site, land off Harrington Lane, Exeter, EX4

Proposal: Removal of condition 25 on Ref No 11/1800/03 requiring the construction of the care home prior to the occupation of the 200th dwelling

Application Number: 12/1254/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: The Heart of Oak, 34 Main Road, Pinhoe, Exeter, EX4 8HS

Proposal: Removal of bar partition, alteration to stair, doors and replacement bar servery

POLSLOE

Application Number: 12/1173/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/09/2012 DEL
Location: 2a, North Avenue, Exeter, EX1 2DU

Proposal: Tree Species Works
T1 Horse Chestnut Crown lift to allow 5.2m highway clearance
T2&3 Sycamore Crown lift to allow 1.2m garage clearance and 5.2m
highway clearance using cuts of up to 5cm
T4 Lawson Cypress Fell
T5 Bay Fell

Application Number: 12/1045/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 08/10/2012 DEL
Location: 36 Polsloe Road, Exeter, EX1 2DN

Proposal: Reduce height of Maples, Ash and Chestnut to 2.5m on side and front boundary

Application Number: 12/1259/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/10/2012 DEL
Location: 2 South Avenue, Exeter, EX1 2DZ

Proposal: Tree Species Works
T1 Sycamore Dismantle to ground level

Application Number: 12/1095/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 12/10/2012 DEL
Location: 14 First Avenue, Exeter, EX1 2PH
Proposal: Decking at the rear

Application Number: 12/1192/03 **Working Party Date:** 10/10/2012
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: 13 Mont Le Grand, Exeter, EX1 2PD
Proposal: Solar panels installed on garage roof to the rear of the property

Application Number: 12/1046/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/09/2012 DEL
Location: 13 Regents Park, Exeter, EX1 2NT
Proposal: Demolition of garden wall and erection of garage, cycle & garden store on north west boundary

PRIORY

Application Number: 12/1009/03 **Working Party Date:** 15/08/2012
Decision Type Permitted **Decision Date:** 09/10/2012 DEL
Location: Royal Devon & Exeter Hospital, Barrack Road, Exeter, EX2 5DW
Proposal: Installation of a temporary modular ward to east of Centre for Women's Health

Application Number: 12/0982/02 **Working Party Date:** 15/08/2012
Decision Type Permitted **Decision Date:** 11/10/2012 COM
Location: Former St Loyes College, Topsham Road, Exeter, EX2 6EP
Proposal: Redevelopment of the southern part of the site, including the demolition of existing structures, to provide 58 dwellings, a children's play area, landscaping, associated roads, garaging, car parking, bin and cycle storage. (Approval of reserved matters following outline consent Ref. 11/0787/01 granted 6 July 2012).

ST DAVIDS

Application Number: 12/1145/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/09/2012 DEL
Location: Exeter Community Centre, 17 St. Davids Hill, Exeter, EX4 3RG
Proposal: Tree Species Works
T1 Mulberry Crown lift to 2.5m. Reduce lateral branches over footpath and garden area by 2m. Root prune as required to facilitate new footpath.
T2 Fig Crown lift to 2.5m

Application Number: 12/0800/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: Cult, 8-9 Princesshay, Exeter, EX1 1GE
Proposal: Internally illuminated (3) and non illuminated (1) letter signs

Application Number: 12/0869/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: South Street Baptist Church, Palace Gate Centre, Palace Gate, Exeter, EX1 1JA
Proposal: Non illuminated fascia signs on South Street entrance (1) and south east elevation (1) of Palace Gate centre

Application Number: 12/1111/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 6 Little Silver, Exeter, EX4 4HU
Proposal: First floor rear extension

Application Number: 12/1112/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 6 Little Silver, Exeter, EX4 4HU
Proposal: First floor rear extension, rooflight and internal alterations

Application Number: 12/1180/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 11-15 Bedford Street, Exeter, EX1 1GG
Proposal: Internally illuminated fascia sign and non illuminated hanging signs (2)

Application Number: 12/1182/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: O/S 84 South Street, Exeter, EX1 1EQ
Proposal: Replacement telephone/ATM kiosk

Application Number: 12/1213/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: Cricklepit Mill, Commercial Road, Exeter, EX2 4AB
Proposal: Tree Species Works
T1 Ash Pollarding

Application Number: 12/1221/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: Princesshay Car Park, Dix's Field, Exeter, EX1 1GR
Proposal: Artwork on curved wall

Application Number: 12/2514/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 246 High Street, Exeter, EX4 3NZ
Proposal: New shop front.

Application Number: 12/2515/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 246 High Street, Exeter, EX4 3NZ
Proposal: Installation of new signage.

Application Number: 12/0866/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: Topshop, 11 Eastgate, Exeter, EX1 1GB
Proposal: Internally illuminated fascia signs (8)

Application Number: 12/1074/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 05/10/2012 DEL
Location: The River Church, Northernhay Street, Exeter, EX4
Proposal: Replacement entrance doors

Application Number: 12/1209/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012
Location: 10 Bartholomew Terrace, Exeter, EX4 3BW
Proposal: Tree Species Works
 T1 Copper Birch Remove low, heavy branch hanging over outbuildings

Application Number: 12/0994/03 **Working Party Date:** 11/09/2012
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: Well House Tavern, Cathedral Yard, Exeter, EX1 1HD
Proposal: Change of use from pavement to outside seating

Application Number: 12/1156/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: 4 Victory House, Magdalen Street, Exeter, EX1 1RB
Proposal: Internal works including new staircase, door, ceiling and floor to loft

Application Number: 12/1184/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: 150A Fore Street, Exeter, EX4 3AN
Proposal: Remove bay windows (2) and replacement sash windows at first floor

Application Number: 12/1223/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: 8 Bedford Street, Exeter, EX1 1LL
Proposal: Internally illuminated fascia sign and non illuminated hanging sign

Application Number: 12/1267/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: 150A Fore Street, Exeter, EX4 3AN
Proposal: Remove bay windows (2) and replacement sash windows at first floor

Application Number: 12/1268/06 **Working Party Date:** 08/10/2012
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: Bridge Court, Exe Street, Exeter, EX4 3HF
Proposal: Tree Species Works
 T1 (Opposite No. 23) Magnolia Fell to ground
 T2 (Beside No. 10) Cherry Prune to give 2m building clearance
 T3 & T4 Magnolia Lightly reduce and shape

Application Number: 12/0897/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/09/2012 DEL
Location: Cecil Boyall House, Victory Wing & Magdalen House, Southernhay East, Exeter, EX1 1RB
Proposal: Variation of condition two to approve amended drawings showing 11 parking spaces (Ref No. 07/2679/03 granted 07 January 2009)

Application Number: 12/0327/03 **Working Party Date:** 06/06/2012
Decision Type Permitted **Decision Date:** 24/09/2012 COM
Location: Magnolia House and Acacia House, Friars Green, Exeter, EX2 4DB
Proposal: Sub division of two existing dwellings to create three 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: 12/0328/07 **Working Party Date:** 06/06/2012
Decision Type Permitted **Decision Date:** 24/09/2012 COM
Location: Magnolia House and Acacia House, Friars Green, Exeter, EX2 4DB
Proposal: Sub division of two existing dwellings to create three 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: 12/0901/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 24/09/2012 DEL
Location: 79 Fore Street, Exeter, EX4 3HR
Proposal: Additional air handling plant and alterations to entrance on rear elevation

ST JAMES

Application Number: 12/1152/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 9 Howell Road, Exeter, EX4 4LG
Proposal: Ground floor rear extension and decking

Application Number: 12/1153/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 9 Howell Road, Exeter, EX4 4LG
Proposal: Ground floor rear extension, decking, and replacement patio doors

Application Number: 12/1155/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 11 New North Road, Exeter, EX4 4HF
Proposal: Opening between dining room and sitting room

Application Number: 12/0477/03 **Working Party Date:** 13/08/2012
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: 5-6 Well Street, Exeter, EX4 6QR
Proposal: Change of use of first floor from storage area to two self contained flats, & alterations to second floor flat.

Application Number: 12/1200/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 16/10/2012 DEL
Location: 13 Powderham Crescent, Exeter, EX4 6DA
Proposal: Rooflight on front elevation. Window, rooflights (2) and sliding doors on side elevation (Certificate of Lawfulness of Proposed development)

Application Number: 12/1231/03 **Working Party Date:** 08/10/2012
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: 44 Velwell Road, Exeter, EX4 4LD
Proposal: Ground floor rear extension

Application Number: 12/0905/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/09/2012 DEL
Location: 8 and 9 Leighton Terrace, Exeter, EX4
Proposal: Partial rebuild and partial increase in height of south west boundary wall and replacement gate

ST LEONARDS

Application Number: 12/0997/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 25 Victoria Park Road, Exeter, EX2 4NT
Proposal: Alterations to internal walls, floors and doors, removal of staircase, three roof windows on east elevation and enlargement of roof window on north facing roof

Application Number: 12/1116/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 4 Manston Terrace, Exeter, EX2
Proposal: New gates, railings and pier replacement

Application Number: 12/1117/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 4 Manston Terrace, Exeter, EX2
Proposal: New gates, railings and pier replacement

Application Number: 12/1215/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 56 Wonford Road, Exeter, EX2 4LQ
Proposal: Tree Species Works
T1 Maple Fell

Application Number: 12/1228/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: Exeter School, Victoria Park Road, Exeter, EX2 4NS
Proposal: Pedestrian gateways onto Victoria Park Road

Application Number: 12/1163/07 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 05/10/2012 DEL
Location: 6 Lyndhurst Road, Exeter, EX2 4PA
Proposal: Internal alterations to enlarge bathroom

Application Number: 12/1207/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 05/10/2012 DEL
Location: 2-24 (Evens), Hurst's Almhouses, Fairpark Road, Exeter, EX2
Proposal: Replacement windows

Application Number: 12/1250/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: 13 Powderham Crescent, Exeter, EX4 6DA
Proposal: Tree Species Works
T1 Cherry Fell to ground level
T2 Bay Fell to ground level
T3 Apple Prune back from roof and thin crown by 20%
T4 and T5 Blue Cypress (2) Fell to ground level
T6 Magnolia Fell to ground level

Application Number: 12/1129/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/10/2012 DEL
Location: 76 Barrack Road, Exeter, EX2 5ED
Proposal: Ground floor side extension

Application Number: 12/1249/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/10/2012 DEL
Location: 4 Magdalen Road, Exeter, EX2 4SY
Proposal: Tree Species Works
T1 Holly Fell to ground level
T2 Sweet Chestnut Fell to ground level

Application Number: 12/1252/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: Exeter School, Victoria Park Road, Exeter, EX2 4NS
Proposal: New building to provide uniform shop and store

Application Number: 12/1292/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: The Coach House, 6 Mount Radford Crescent, Exeter, EX2 4EN
Proposal: Tree Species Works
T1 Sycamore Dismantle to ground level
T2 Elm Fell to ground level
T3 Silver Birch Fell to ground level

Application Number: 12/1312/06	Working Party Date:
Decision Type: Permitted	Decision Date: 16/10/2012 DEL
Location: County Hall, Topsham Road, Exeter, EX2 4QB	
Proposal: Tree Species Works T1 Walnut Reduce branch outside main tree canopy by 3m	

Application Number: 12/0703/03	Working Party Date:
Decision Type: Permitted	Decision Date: 24/09/2012 DEL
Location: Exeter School, Victoria Park Road, Exeter, EX2 4NS	
Proposal: Ground floor extension to gym on north east elevation	

Application Number: 12/0788/03	Working Party Date: 14/08/2012
Decision Type: Permitted	Decision Date: 24/09/2012 COM
Location: Stoneycombe, Matford Road, Exeter, EX2 4PE	
Proposal: First floor extension to create two storey dwelling, double garage on north east elevation, ground floor extension on north west and south west elevations and alterations to driveway	

Application Number: 12/0859/03	Working Party Date: 14/08/2012
Decision Type: Permitted	Decision Date: 24/09/2012 COM
Location: 11 Matford Avenue, Exeter, EX2 4PW	
Proposal: Replacement two storey dwelling, widened entrance and associated works	

Application Number: 12/0860/14	Working Party Date: 14/08/2012
Decision Type: Permitted	Decision Date: 24/09/2012 COM
Location: 11 Matford Avenue, Exeter, EX2 4PW	
Proposal: Demolition of bungalow	

Application Number: 12/1114/03	Working Party Date:
Decision Type: Refuse Planning Permission	Decision Date: 24/09/2012 DEL
Location: 61 Barnardo Road, Exeter, EX2 4ND	
Proposal: Rear dormer window	

ST LOYES

Application Number: 12/1140/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012
Location: Corner of Sidmouth Road and Moor Lane, Sowton Industrial Estate, Exeter, EX2 7HU
Proposal: Advertising displays (4)

Application Number: 12/1121/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/09/2012 DEL
Location: 3 Birkett Close, Exeter, EX2 5PG
Proposal: Front porch

Application Number: 12/1135/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/09/2012 DEL
Location: 14 Cumberland Drive, Exeter, EX2 7RF
Proposal: Ground floor side extension

Application Number: 12/1101/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 24/09/2012 DEL
Location: Tesco Stores Ltd, Russell Way, Exeter, EX2 7EZ
Proposal: Change of use of nine parking spaces to hand car wash including installation of office

Application Number: 12/1102/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 24/09/2012 DEL
Location: Tesco Stores Ltd, Russell Way, Exeter, EX2 7EZ
Proposal: Signs (17) for hand car wash

ST THOMAS

Application Number: 12/1179/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/10/2012 DEL
Location: Unit 4, The Exebridge Centre, Cowick Street, Exeter, EX4 1AH
Proposal: Temporary refrigerated storage container between 1st November and 31st January annually

Application Number: 12/1225/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/10/2012 DEL
Location: Victoria Court, Flowerpot Lane, Exeter, EX4
Proposal: Tree Species Works
G1 Lime (3) Remove low branches to allow sunlight through to shrub area
beneath

Application Number: 12/1275/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/10/2012 DEL
Location: Unit 3, The Exebridge Centre, Cowick Street, Exeter, EX4 1AH
Proposal: Internally illuminated fascia signs (2)

Application Number: 12/0977/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 24/09/2012 DEL
Location: 49 Old Vicarage Road, Exeter, EX2 9BL
Proposal: Loft conversion with rear dormer and front roof light (Certificate of Lawfulness of
Proposed Development)

TOPSHAM

Application Number: 12/2511/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 01/10/2012 DEL
Location: 25 Elm Grove Road, Topsham, Exeter, EX3 0EJ
Proposal: Rendering of external walls, re-modelling and extension of porch, replacement
hardstanding in front garden area and construction of terrace at rear

Application Number: 12/1189/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: West of England School, Topsham Road, Exeter, EX2 4NF
Proposal: Replacement entrance signs at Topsham Road junction

Application Number: 12/1293/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: 1 Tresillian Gardens, Topsham, Exeter, EX3 0BA
Proposal: Relocation of Vexex Window from South Elevation to East Elevation
(Non-Material Minor Amendment to Planning Permission Reference No.
11/1554/03 granted 21 11 2011)

Application Number: 12/1239/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/10/2012 DEL
Location: 43 Higher Shapter Street, Topsham, Exeter, EX3 0AW
Proposal: Tree Species Works
T1 Apple Fell

Application Number: 12/2513/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 11/10/2012 DEL
Location: Strand Court, The Strand, Topsham, Exeter, EX3
Proposal: Replacement of existing steel handrails and balustrades with new stainless steel
and glass design

Application Number: 12/1061/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: Topsham Sub Post Office, 17 Fore Street, Topsham, Exeter, EX3 0HE
Proposal: Removal of window to form double doors and alterations to railings

Application Number: 12/1127/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 16/10/2012 DEL
Location: 32 Newcourt Road, Topsham, Exeter, EX3 0BT
Proposal: Ground floor rear extension

Application Number: 12/1171/04 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 20/09/2012 DEL
Location: Garden Reach, Retreat Drive, Topsham, Exeter, EX3 0LS
Proposal: Tree Species Works
T1 Yew Fell and replace with Yew

Application Number: 12/1136/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/09/2012 DEL
Location: 5 Ferry Road, Topsham, Exeter, EX3 0JW
Proposal: Railings to boundary wall, replacement sunroom, garage roof and garage door

Application Number: 12/1137/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/09/2012 DEL
Location: 5 Ferry Road, Topsham, Exeter, EX3 0JW
Proposal: Railings to boundary wall, replacement sunroom, garage roof and garage door

WHIPTON BARTON

Application Number: 12/1113/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 27/09/2012 DEL
Location: 29 Birchy Barton Hill, Exeter, EX1 3ET
Proposal: Decking to rear of property

Application Number: 12/1181/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: 1 Quintet Close, Exeter, EX1 3HZ
Proposal: Conservatory on rear elevation

Application Number: 12/1198/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/10/2012 DEL
Location: 1 Birchy Barton Hill, Exeter, EX1 3ET
Proposal: Extension and replacement roof to garage

Total Number of Decisions Made: **115**

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

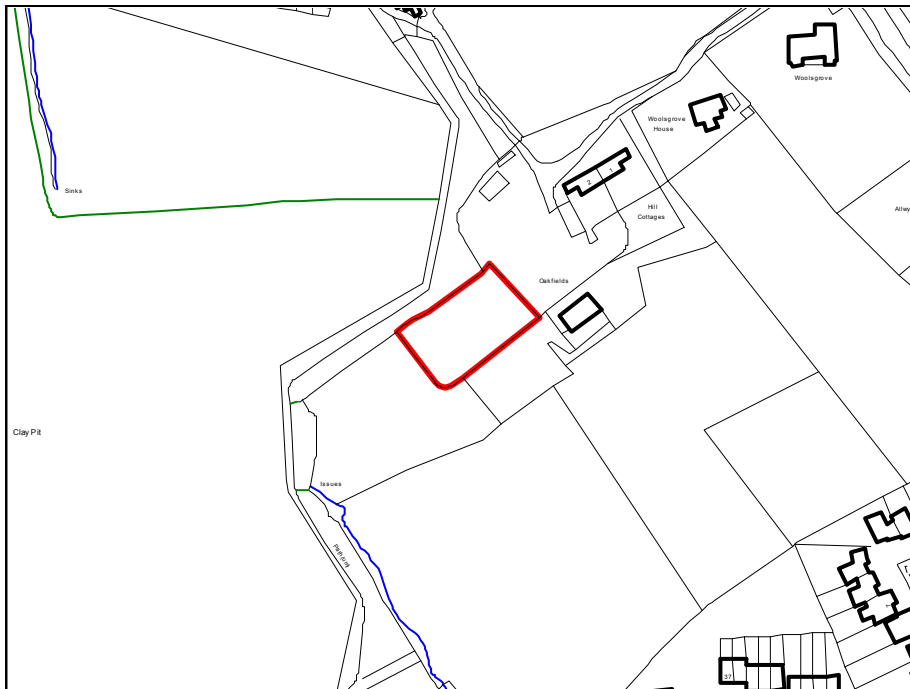
PLANNING COMMITTEE
29 OCTOBER 2012

APPEALS

DECISIONS RECEIVED

SUMMARY: 2 appeal decisions have been received since the last report:
Both appeals were dismissed.

2 Hill Cottages, Church Hill, Pinhoe, Exeter, EX4 9JG



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Reference No: 12/0012/01

Proposal: Erection of a detached dwelling.

Application Decision: Delegated Refusal

Type of Appeal: Written representations

Appeal Decision: DISMISSED

Grounds:

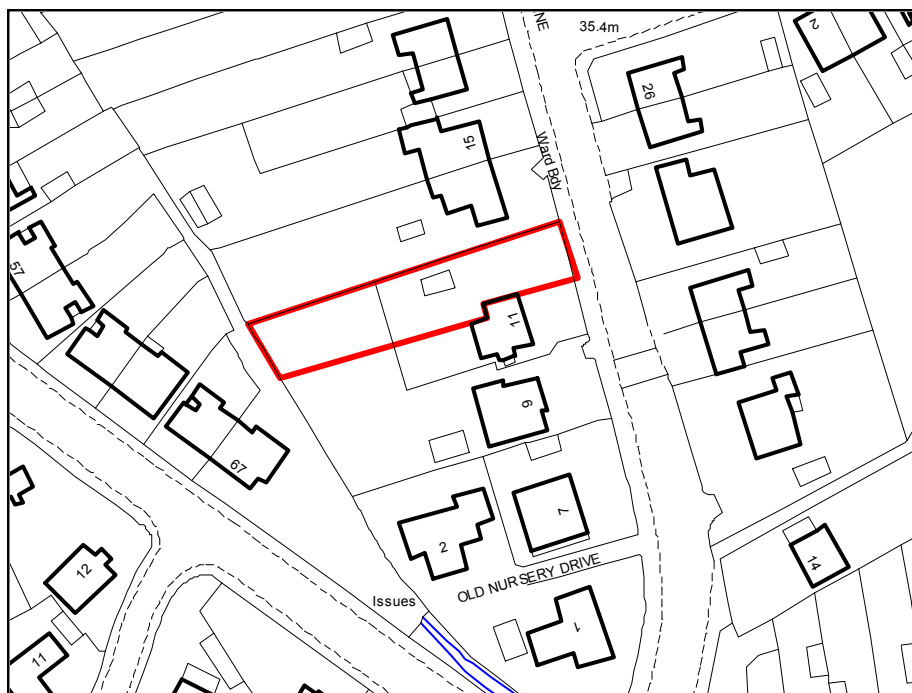
The main issue was the impact of the proposal on the character and appearance of the area. The site is on a hillside overlooking Exeter and comprises part of the garden of 2

Hill Cottages. It is surrounded by mature hedges and trees. Although the appellant claimed that the site was surrounded by buildings, these were virtually invisible from within the site and consisted of widely separated small houses or stable buildings within the open countryside. The Inspector commented that it was not surprising that the site was protected by landscape policies in the DSP, ELP and Core Strategy. He considered the insertion of a house into the site would partially erode the open character of the landscape, on a prominent hillside position. Even if it were entirely hidden by trees and bushes, it would still be out of place in the countryside and contrary to the well established policies designed to protect the area from development.

The appellant argued that recent planning permissions had changed this situation. Land to the south east has planning permission for housing development, but this was some way from the site and did not directly impinge upon it. Close by, a disused quarry just down the slope from the site, also has permission for 380 houses. The Inspector noted the Council's view that this development would have little direct impact on the appeal site as it would be contained within the quarry. He considered that if the impact was greater, the role of the appeal site in the landscape protection area would be even more important. He also noted that neither of the two planning permissions were in the protected area, further emphasising the importance of that area.

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11 Summer Lane, Exeter, EX4 8BY



Scale 1:1250

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Reference No: 12/0059/03

Proposal: New house in grounds of existing (revised scheme).

Application Decision: Delegated Refusal

Type of Appeal: Written representations

Appeal Decision: DISMISSED

Grounds:

The main issues were the effect of the proposal on the character and appearance of the street scene and the host dwelling, and on the living conditions of the occupants of the host dwelling.

Character and appearance

11 Summer Lane is a detached dwelling set back from the road with a distinctive cat-slide roof on the side elevation. A previous proposal to subdivide the plot and erect a new two storey detached dwelling at the side of the existing was dismissed on appeal. The inspector dealing with that appeal found that the gap would not be sufficiently wide to achieve a building plot without harming the character and appearance of the street scene. The current scheme was a response to those objections and proposed a single storey, attached dwelling intended to mimic an extension to the existing, with shared use of no.11's vehicular access and its extensive area of front hardstanding.

Due to the constraints of the site, the proposed dwelling would be over 15m deep, extending far beyond the rear of the existing dwelling, and beyond the end of the existing extension at the rear of the adjoining dwelling at no.13.

The Inspector agreed with the Council that in terms of its detailed design, the proposed roof slopes would not relate well to the two storey dwellings on either side. The width of the proposed single storey structure would unbalance the form of the host dwelling and the point at which its roof would meet the host dwelling's cat-slide roof was poorly conceived. He shared the previous Inspector's view that the cat-slide roof of the host dwelling was "*a distinctive and highly visible feature when viewed from public viewpoints in Summer Lane.... The side garden... acts as a visual buffer to the low eaves.... and gives an appropriate space for the large, centrally placed side dormer to face*". He considered the proposed development to be contrived and out of keeping with the host dwelling and street scene, contrary to Development Plan policies and the advice and policies on design set out in the National Planning Policy Framework.

Living conditions

The proposal would result in a new courtyard garden being created immediately adjacent to the patio at the rear of the existing dwelling, separated from it by a fence 2m high and over 4m long. This would connect to the corner of the hipped and gabled 5m deep return section of the proposed dwelling sited directly on the boundary and which would be some 2m high to the eaves, with a roof ridge about 4m high and a chimney set on the hipped roof slope.

The Inspector considered that these particular elements of the proposal, because of their close proximity to the host dwelling and its garden, would have an overbearing impact on, and result in an unacceptable loss of outlook from, the existing rear lounge window and patio area. He concluded that the proposal would harm living conditions at the host dwelling, contrary to DSP Policy CO6, ELP Policy DG4 and CS Policy CP4.

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APPEALS LODGED

Application	Proposal	Start Date	Received Date
12/0020/07 52 Longbrook Street, Exeter EX4 6AH	Alterations to create house in multiple occupation including dormer window on east and west elevations and replacement window on east elevation.	10/10/2012	10/10/2012

RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT

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: -

City Development, Civic Centre, Paris Street, Exeter (01392) 265223