

## PLANNING

Date: Monday 29 September 2014  
Time: 5.30 pm  
Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

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

### *Membership -*

Councillors Bialyk (Chair), Spackman (Deputy Chair), Choules, Denham, Edwards, Lyons, Mitchell, Mottram, Newby, Raybould, Sutton, Williams and Winterbottom

## Agenda

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

#### **1 Apologies**

To receive apologies for absence from Committee members.

#### **2 Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item.

Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

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

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

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

### **Public Speaking**

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

### 4 **Planning Application No. 14/1608/03 - Former St. Margaret's School, 147 Magdalen Road, Exeter**

To consider the report of the Assistant Director City Development. (Pages 5 - 14)

### 5 **Planning Application No. 14/1605/01 - Land off Exeter Road, Topsham Road, Exeter**

To consider the report of the Assistant Director Environment. (Pages 15 - 22)

### 6 **Application No. 14/1918/03 - 5 St. Johns Villas, Sivell Place, Exeter**

(Pages 23 - 24)

### 7 **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

To consider the report of the Assistant Director City Development. (Pages 25 - 42)

### 8 **APPEALS REPORT**

To consider the report of the Assistant Director City Development. (Pages 43 - 44)

### 9 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 14 October 2014 at 9.30 a.m. The Councillors attending will be Sutton, Williams and Winterbottom.

### **Date of Next Meeting**

The next scheduled meeting of the Planning Committee will be held on **Monday 27 October 2014** at 5.30 pm in the Civic Centre.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265107 for further information.

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# Agenda Item 4

## ITEM NO.

COMMITTEE DATE: 29 SEPTEMBER 2014

APPLICATION NO: 14/1608/03

FULL PLANNING PERMISSION

APPLICATION NO: 14/1607/07

LISTED BUILDING CONSENTED BUILDING CONSENT

APPLICANT:

St Margarets Residences (Exeter) Ltd

PROPOSAL:

Conversion of former school to create 41 residential units including demolition, conversion and new buildings.

LOCATION:

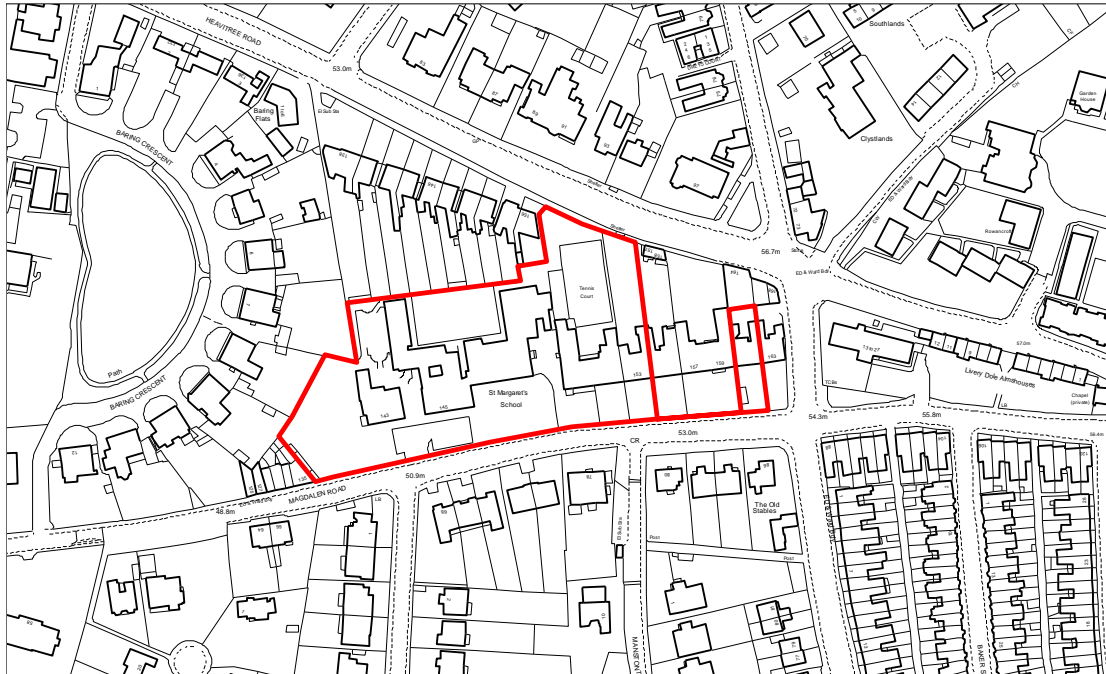
Former St Margarets School, 147 Magdalen Road, Exeter, EX2 4TS

REGISTRATION DATE:

01/07/2014

EXPIRY DATE:

30/09/2014



Scale 1:3000

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## DESCRIPTION OF SITE/PROPOSAL

The application site comprises of the former St Margarets School located on the northern side of Magdalen Road opposite its junction with Victoria Park Road and Manston Terrace. The site backs onto Heavitree Road between 156 and the single storey former shop which is currently being converted into office use. The application also includes a terraced building Willowdene, which is located close to the Magdalen Road/ Barrack Road junction. The site lies within the St Leonards Conservation Area.

The application seeks to convert the existing buildings, which are either Grade II or II\* listed and provide extensions/new buildings to create a total of 41 residential units. To facilitate this comprehensive redevelopment from school to residential use the planning and listed building applications seek to demolish several of the more recent extensions to the former school and removal of the existing tennis courts. The scheme can be described through the individual buildings on the site with the overall development being served by communal parking and landscaped gardens/courtyards.

Westall House, 143 Magdalen Road is a grade II listed building located within the western part of the site. This would benefit from existing garden areas which backs principally onto neighbouring gardens in Baring Crescent and alongside 135 Heavitree Road. This

application seeks some minor demolition of more recent extensions to create a total of 3 new residential units each containing 2 bedrooms. The units would range in internal floor space of between approx 90 sq metres (unit 2) and 130 sq metres (unit 1).

Baring Lodge, 145 Magdalen Road is a grade II listed building and is currently attached to the former music block building by a two storey extension. This extension would be removed to create a clear separation between the two buildings and provide access to a new rear car park in an area previously used as a tennis court. An additional single storey extension is also to be removed on the eastern side of the building adjacent to Wynlaton House. It is proposed to convert the remaining, largely original building into 5 units (4 No. two bed and 1 No. one bed) with internal floor space ranging from approx 51 sq metres (unit 8) to 100 sq metres (unit 7).

The former music block is an unlisted building located to the north western side of the site, to the rear of No. 8 Baring Crescent and alongside the long rear gardens of properties in Heavitree Road. It is proposed to create 3 townhouses (2 No. three bed and 1 No. four bed) within the existing building. The internal floor space for these units would be either approx. 83 sq metres (units 29/30) or 105 sq metres (unit 31).

Wynlaton House, 147 Magdalen Road is a grade II listed building located centrally within the site. It has a significant area of lawn and a listed boundary wall to the front which would be retained. The application proposes the removal of a significant section of existing buildings to the rear and side of Wynlaton House. These buildings would in part be reinstated with a new single storey extension to the rear of Wynlaton House to serve unit 11 and provide space for a new detached two storey building (Block 2). Wynlaton House would comprise of 7 new units (2 No. one bed and 5 No. two bed) with internal floor areas ranging from approx. 87 sq metres (unit 11) to 158 sq metres (unit 10).

Baring House comprises of 149 and 151 Magdalen Road with the former building being grade II listed and No.151 being Grade II\* listed. A consequence of the internal changes required by the former school resulted in Baring House being connected to the adjacent building Morford House, 153 Magdalen Road which is also grade II\* listed. Both Baring House and Morford House would require the demolition of small extensions previously added to create a total of 10 new units each containing 2 bedrooms. The internal floor area for these units range from approx 78 sq metres (unit 19) to 168 sq metres (unit 16).

Willowdene House, 161 Magdalen Road is a grade II listed building. The application proposes to remove some minor extensions and create a new rear single storey bathroom extension for unit 26 and a communal boiler room and a three storey rear staircase extension to serve units 27 and 28. These new extensions would be constructed of a metal cladding. The proposed 3 units would have one bedroom each with an internal floor space of approx. 75 sq metres.

In addition to the conversion of the existing buildings two new detached buildings are proposed. The most significant is Block 1 which is a four storey building constructed of brick, render and zinc clad roof and located on the Heavitree Road frontage. The building would align with the grade II listed 156 Heavitree Road and a front garden area would be created with the removal of three existing holm oaks and the lowering of an existing brick wall. The building would create a total of 8 new units (7 No. two bed and 1 No. one bed) with an internal floor space of between 62 sq metres (unit 41) and 81 sq metres (units 33/35). Block 2 is a two storey building located to the rear of 156 Heavitree Road and would be visible between Wynlaton House and Baring House. This single aspect mono pitched roof building would be constructed of render and metal cladding and comprise of 2 units each one bed roomed with an internal floor space of either 60 sq metres or 65 sq metres.

The whole scheme is proposed to be served by a total of 55 car parking spaces. These spaces are located throughout the site with 20 spaces located in front of Westall, Baring Lodge, Baring House and Morford House and 4 spaces specifically serving Willowdene given

it is separated from the other units. Four car parking spaces are proposed to the rear of Westall, 11 spaces to the rear of Baring Lodge with the remaining 16 spaces located to rear and side of Baring Lodge. In addition, a new pedestrian access way is proposed between Heavitree Road and Magdalen Road alongside the proposed new blocks and between Wynlaton House and Baring House. Vehicular access to all the units is proposed from existing accesses. Cycle parking and bin storage is provided throughout the site and additional areas of hard and soft landscaping are proposed where buildings have been removed and are not used for additional extensions or for parking purposes.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

A Design and Access Statement, Planning Statement, Statement of Heritage Significance, District Heating Details, Tree Report, Landscape and Visual Impact Assessment, Ecological Report and a specialist Architectural History and Conservation report in response to English Heritage's concerns have been submitted.

### **REPRESENTATIONS**

20 letters of objection have been received in connection with the planning application 14/1608/03 and 13 letters of objection have been received for the listed building application 14/1607/07. Principal planning issues raised:

1. Density of residential units excessive for area;
2. Inadequate parking within the site to serve the number of proposed units;
3. Potential for parking congestion in the vicinity;
4. Increased traffic leading to greater noise and pollution in area;
5. Difficulties of using existing vehicular accesses due to increased traffic generation;
6. Concern about disturbance /disruption during the construction period;
7. Design of new blocks fronting Heavitree Road out of keeping within area, too high and inappropriate in terms of design/materials to adjacent listed buildings;
8. Loss of existing oak trees fronting onto Heavitree Road;
9. Inappropriate siting of bin storage facilities within site;
10. Loss of light to neighbouring windows;
11. Shading from new blocks onto existing properties in Heavitree Road;
12. Overlooking into neighbouring gardens.

1 letter of no objection in relation to listed building application 14/1607/07.

### **CONSULTATIONS**

The County Head of Planning Transportation and Environment comments that the proposed change of use from a school to residential will, on balance, reduce the impact on the surrounding highway network. Sufficient on-site provision is made for vehicular and cycle parking and therefore the impact of the proposed change of use is not of significant concern from a highway perspective. Therefore, subject to appropriate conditions and a contribution towards removing any school specific highway markings and infrastructure, no objection is raised.

The Housing Development Officer comments that the issue of an affordable housing requirement has been discussed with the applicant over a number of months. The applicant originally stated that due to viability issues regarding the conversion, demolition and new build costs that no affordable housing could be provided. Policy CP7 of the Core Strategy and Affordable Housing SPD clearly states that affordable housing should be provided at 35% subject to considerations of viability and feasibility. A viability assessment has been undertaken and the applicant's figures were scrutinised on sales prices, build costs, risk and contingency and were subsequently amended. The outcome of the viability appraisal established that this scheme can support an offsite contribution towards affordable housing of £1m.

Environmental Health Officer comments that details of the communal boiler and district heating plant are required. In addition, conditions will be required to cover the submission of a Construction and Environmental Management Plan, a contamination report and a noise assessment.

English Heritage require further evidence that the seven listed buildings cannot be reinstated back to single residents. Initial concern was raised that there is no assessment on the impact of the proposed changes on the fabric, design and character of the houses. They commented that although it is clear that the architects have been sympathetic within their brief, and even assuming that the principle of subdivision is agreed, there would need to be an assessment of the impacts of the proposed works in terms of fabric and in terms of authenticity of detailing/design. In addition, the submitted statement is deficient in detail of late Georgian design and decoration and of Exeter's Regency vernacular. They have therefore recommended that a specialist in Georgian architecture is employed to work with the architects to ensure that the application and the aims of repair and reinstatement are informed by that understanding. Following these initial comments the applicant has submitted further information to address their concerns. However English Heritage still remain unconvinced that the buildings cannot be reinstated to individual units and maintain that due to the significance of this heritage asset requires further investigation is required.

Ancient Monument comment that they agree with English Heritage's initial comments about the impact of the sub-division and that further justification is required.

RSPB comment that whilst the conclusions of the Ecology Report are broadly accepted it is considered that greater opportunity exists for an increased number of nesting bird/bat boxes and improvements in positioning and location. Revised proposals are therefore required to address this issue.

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance - National Planning Policy Framework

6. Delivering a wide choice of high quality homes
7. Requiring good design
12. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy

CP4 - Appropriate Residential Density  
CP7 - Affordable Housing  
CP14 - Renewable Energy  
CP15 - Sustainable Construction  
CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development  
AP2 - Sequential Approach  
H1 - Search Sequence  
H2 - Location Priorities  
H5 - Diversity of Housing  
H6 - Affordable Housing  
T1 - Hierarchy of Modes  
T2 - Accessibility Criteria  
T3 - Encouraging Use of Sustainable Modes  
T10 - Car Parking Standards  
C1 - Conservation Areas

C2 - Listed Buildings  
C5 - Archaeology  
DG1 - Objectives of Urban Design  
DG2 - Energy Conservation  
DG7 - Crime Prevention and Safety

Exeter City Council Supplementary Planning Documents:-

Residential Design - September 2010  
Affordable Housing - April 2014  
Sustainable Transport - March 2013

St Leonards Conservation Area Appraisal and Management Plan

## **OBSERVATIONS**

The former St Margarets School site represents a significant collection of listed building within a conservation area setting which combined represent an important heritage asset. The existing buildings are either Grade II or II\* and identified in the St Leonards Conservation Areas Appraisal and Management Plan as making a positive contribution to the character of the area. Consequently the need to establish an appropriate use which ensures these buildings future maintenance and viability is of fundamental importance. It is considered that the principle for residential use is acceptable subject to detailed assessment regarding the demolition, internal/external changes proposed and the impact of the new buildings/parking areas on the building's setting and on the character and appearance of the conservation area.

The application proposes the conversion of the existing 7 listed buildings into 28 flats in addition to 10 units created within two new buildings and 3 units created within the former unlisted music block building. English Heritage's initial consultation response requested that more specialist historic building analysis be submitted and further justification that the subdivision of the listed building into 28 flats represents the most appropriate form of development. In their view, the 7 listed building should be reinstated back into larger individual residences to better preserve the building's important historic fabric and safeguard the heritage asset. In response to these comments the applicant commissioned a local land agent and surveyor to provide further assessment which concluded that due to the very high conversion costs relative to the revenues achieved it would not be viable to develop a scheme for 7 large family dwellings. In addition, the applicant employed an independent historic building's specialist to assess the level of detail originally provided in support of the application. Following a site visit and an appraisal of the Statement of Historical Significant, it was concluded that the report was thorough and robust and the works proposed for the subdivision was appropriate. However notwithstanding these additional reports English Heritage maintain their view that the most suitable use of the buildings should be for 7 dwellings. Their concern is that the proposed changes, which involve the creation of larger sized flats, will inevitably lead to future owners wishing to make alterations that may be detrimental to fabric of the building. However as English Heritage, acknowledge themselves, applications must be dealt with on their own merits and without '... preventing justifiable developments with hypothetical objection'. The policy advice contained with the NPPF and as highlighted by English Heritage is therefore helpful and forms the basis against which this application needs to be assessed. The Local Planning Authority as the decision making body needs to consider this advice and ultimately make a decision. In this instance, it is considered that sufficient information, particularly in light of the independent historic buildings specialist has been provided which justifies the principle of the conversion of the listed buildings to flats as submitted.

English Heritage comments do highlight the need to consider carefully the impact the conversions will have on the listed buildings. The Council's conservation specialist has discussed the proposed external and internal works in connection with the building's subdivisions on site with the architect, which has ultimately lead to this planning and listed

building submission. This has resulted in variety of apartment sizes to reflect the particular space available within each of the buildings. Many of flat units are spacious and in most cases significantly exceed the criteria as required with the Residential Design SPD. In addition, the application is seeking to remove many of the more recent extensions and structures provided over time which were previously needed for the former school use. These changes to the building, which will expose the original fabric of these historic buildings, are beneficial and are therefore to be welcomed. Whilst comment was made by the historic expert employed by the applicant in respect of the stair towers to the rear of Baring House the Council's conservation specialist considers that the approach taken by the architect is appropriate and will ensure that the proposed metal cladding ties in with the new buildings, which are proposed as part of this application.

The proposed scheme seeks to demolish a number of large extensions principally to the rear of Baring Lodge and Wynlaton House and remove the two existing tennis court areas. The removal of these structures will be of significant benefit to the listing building by reinstating their original form and improving their setting. However the application also proposes significant additional structures in three main areas of the site namely:- a single storey extension behind Wynlaton House; a two storey building (Block 2) containing 2 flats visible from along the access road between Wynlaton House and Baring House and a four storey building (Block 1) containing 8 flats visible from Heavitree Road. It is considered that the extension to Wynlaton House is appropriate and although modern in appearance would be complementary to this existing listed building, a view shared by the Council's conservation specialist. Block 2 is also contemporary in design but its low roof profile ensures that it does not impinge unduly on the existing residential properties to the rear, provides visual interest within the site when viewed along the internal access road and creates natural surveillance to the public walkway which passes to the front and side of this new building. The most significant new building (Block 1) is the four storey unit which faces onto Heavitree Road and this requires specific attention.

Block 1 would occupy the northern section of the site in an area formerly used as one of the school's tennis courts. Whilst its principal public view is from Heavitree Road, its main entrance faces south and is accessed from within the site. This building would result in the removal of a cluster of 3 holm oak trees, which lie on the boundary of the site and behind an existing brick wall. It is accepted that the building will have a significant impact on the street scene and therefore careful assessment is required particularly given its location adjacent to existing Grade II listed buildings on Heavitree Road and within the conservation area. This new building has been the subject of extensive discussion with the architects to create an appropriate building in terms of design, height, scale, massing and external materials for this location. The resultant building has been designed to reflect the Georgian proportions of the adjacent building in terms of building depth, window proportion, eaves and ridge height and proximity to the road frontage. The proposed materials are a combination of brick and render which matches nearby properties but with projecting zinc window bays and a zinc mansard styled roof which are more modern in style. It is considered that building's design is deliberately contemporary in appearance but it is clear from the supporting information that this has been informed by the adjacent buildings and its conservation area location. It is therefore considered that the building will preserve and enhance the character and appearance of the area.

Block 1 is considered acceptable in terms of its design and would meet the standards as specified in the Residential Design SPD. It is considered that the footprint of the building in relation to the neighbouring residential at 156 Heavitree Road would not result in a loss of residential amenity to the occupants of this property through overshadowing. However on the negative side the block will result in the loss of 3 holm oak trees. The submitted tree report states that one of these trees should be removed and that tree works in the past, assumed to be due to stem decay, have lead to the classification of the trees as a category C and accordingly they are considered of relatively poor quality. It is accepted however that without the proposed development 2 oak trees could remain and would be of visual benefit to

the Heavitree Road street scene. This view is shared by the Council's tree officer. However the creation of an additional building in this location would form a logical extension of the buildings which already exist along Heavitree Road and given the appropriate design of the new build would, it is considered, represent a positive addition to the character and appearance of the area. The accompanying landscape plan indicates that 3 additional trees would be planted to the side of this new building to compensate for those lost. It is therefore considered that subject to a condition in respect of replacement planting, the removal of the existing trees is justified.

Local residents have expressed serious concerns regarding the level of parking, access arrangement and traffic generation associated with the 41 new residential units proposed for this site. The initial submission proposed a total of 48 car parking spaces, however a revised parking layout has now increased the total number to 55 spaces. Whilst recent correspondence from local residents indicates that they consider that this number is still inadequate the County highway officer has raised no objection to the access arrangements, parking layout or overall parking numbers proposed, subject to specific conditions being imposed and a revision to the traffic order along Magdalen Road. He comments that the change of use '...will alter the profile of the travel demand to, and from, the site. Typically, travel demand for a residential is less concentrated than that of the previous use as a school, particularly in the morning peak. Whilst the change of use may increase travel demand in the pm peak, given the modest number of units and highly sensitive site, this is not a significant concern'. The highway officer also considers that the proposed footpath link between Magdalen Road and Heavitree Road will help promote sustainable transport and improve accessibility for this development and the surrounding area. In respect of the parking proposed the highway officer comments that although the number of space is acceptable, the indicative allocation on the submitted plans requires further modification and it is therefore suggested that this should be controlled by condition. In addition, it is advised that as the site lies within an existing residents parking permit scheme area, additional on street residents parking permits will not be issued to serve this development. In visual terms it is considered that a balance has been achieved which creates an acceptable level of parking to serve the development against the need to provide suitable levels of outdoor amenity space for future occupants and an appropriate setting for the listed buildings.

The individual garden plots which serve the proposed units within the former music block and the communal landscaped areas serving the remainder of the development provide a landscaped buffer to existing residential property which adjoins the site. The space retained between the new residential units and the existing properties is considered appropriate and ensures that no unacceptable levels of overlooking or loss of amenity will be caused. Minor changes have been made to the plans following requests from neighbouring residents and accordingly it is considered that the relationship between the new units and existing properties is acceptable.

Core Strategy Policy CP7 and Affordable Housing SPD requires the provision of affordable housing for schemes of 3 or more houses at a ratio of 35%. During pre-application discussions with officers the applicant indicated that the scheme would not be viable if an affordable housing element was imposed. Consequently a further viability assessment was undertaken and the applicant's figures on sale prices, build costs, risk and contingency were subsequently re-appraised. The outcome of the viability appraisal established that this scheme could support an affordable contribution of £1 million and this figure is acceptable to the housing officer. In accordance with the Affordable Housing SPD this money will be spent on provision of affordable housing in the City and will be imposed via a Section 106 Agreement. The development is not liable for a Community Infrastructure Levy as the previous use of the school was operational for 6 months within the last 3 years.

In conclusion, it is considered that the proposed conversion of the existing buildings and provision of new buildings represents a sympathetic development for this importance heritage asset. The proposed accommodation will provide a good level of internal and

external amenity and in some instances will significantly exceed the Council's standards as set out the Residential Design SPD. Whilst the comments of English Heritage have been carefully considered it is not believed that further investigation into the possible reinstatement of the buildings into family dwellings is justified in this instance. The new structures have been assessed in terms of their impact on adjacent listed building and their conservation area status and are acceptable. Although concerns has been expressed by local residents regarding parking provision within the site the number of spaces proposed is deemed appropriate by the highway officer. The development will ensure that these important listed buildings are maintained and improved and the scheme will preserve and enhance the character and appearance of the conservation area.

### **DELEGATION BRIEFING**

9 September 2014 - Members were advised of the principal issues relating to this application and of the concerns of local residents in particular in respect of parking numbers within the site. In addition, the comments of English Heritage were highlighted regarding their view that the building should be reinstated into family dwellings. Members agreed that a site inspection would be appropriate to assess these issues further before the application is reported to Planning Committee.

### **SITE INSPECTION PARTY**

16 September 2014 - Members viewed the site from the existing garden and parking areas and went into part of Westall, which would become Unit 1. The garden area of Westall and the former music block were also viewed in respect of their relationship with properties in Baring Crescent. The existing buildings which are scheduled for removal were identified and the existing open space to the front of Wynlaton House noted. The location of new Blocks 1 and 2 were specifically looked at in relation to the neighbouring properties, the Heavitree Road street scene and the loss of the existing trees. Comment was made regarding the need to amend the roof of Block 1 to provide a more domestic appearance.

### **RECOMMENDATION**

Subject to the completion of a Section 106 Agreement securing a financial contribution of £6000 towards the cost of removing the road markings and infrastructure within the vicinity of the site and £1 million towards affordable housing offsite, delegated authority be given to the Assistant Director City Development in consultation with the Chair of Planning Committee to **APPROVE** the planning and listed building application subject to the following conditions:-

#### **APPLICATION REF: 14/1608/03**

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 1 July 2014 (dwg nos. location plan 001 rev F; floor plans 250 rev A; 260 rev D; 265 rev A; 275; 291 & 295 and elevation plans 255 rev A; 261 rev G; 266 rev A; 275; 281; 292 & 296), 22 July 2014 (dwg. nos. site plan 100 rev F; floors plans 280; 285 & 290 and elevation plan 286) and 2 September 2014 (dwg nos. 105 rev A & 106) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting

- 6) C70 - Contaminated Land
- 7) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The Statement should include details of :-
- i) access arrangements and timings and management of arrivals and departures of vehicles;
  - ii) adequate areas shall be made available within the site to accommodate operative' vehicles, construction plant and materials;
  - ii) confirmation that there shall be no burning on site during demolition, construction or site preparation works;
  - iii) unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of following hour: 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturday and not at on Sundays and Public Holidays;
  - iv) dust suppression measures shall be employed as required during the construction in order to prevent off-site dust nuisance.
- The approved CEMP shall be adhered to throughout the construction period.  
**Reason:** In the interests of highway safety and public amenity.
- 8) No development shall commence until a noise assessment to protect future residents from internal and external noise based on the standards specified in BS8233:2014 Sound Insulation and Noise Reduction for Buildings has been submitted to and approved in writing by the Local Planning Authority. The recommendations of this report shall be implemented and maintained at all times.  
**Reason:** In the interests of residential amenity.
- 9) C57 - Archaeological Recording
- 10) No part of the development hereby approved shall be brought into its intended use until the accesses, parking facilities/allocation, turning areas and access drainage have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 11) No part of the development hereby approved shall be occupied until the pedestrian/cycle connection within the development from the northern boundary of the site with Heavitree Road to the southern boundary with Magdalen Road, as indicated on dwg 105 rev A, has been provided and maintained for this purpose at all times.  
**Reason:** To promote the use of sustainable modes, in accordance with Section 4 of the NPPF.
- 12) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development and retained for that purpose at all times.  
**Reason:** To ensure that adequate cycle parking is provided, in accordance with Exeter Local Plan Policy T3.
- 13) No other part of the Willowdene block of the development shall be brought into its intended use until the parking facilities and turning area have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at

all times.

**Reason:** To ensure a safe and suitable access for the traffic attracted to the site

- 14) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of Block 1, 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. Thereafter the development shall be implemented in accordance with the approved details

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

- 15) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting birds/bat boxes has been submitted to and approved in writing by the Local Planning Authority. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

**Reason:** In the interests of the preservation and enhancement of biodiversity in the locality.

- 16) No building shall be occupied until details of the obscure glazing has been submitted to and approved in writing by the Local Planning Department for the side elevation of the former music building and thereafter retained at all time.

**Reason:** In the interests of residential amenity and prevent overlooking.

#### **APPLICATION REF: 14/1607/07**

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 1 July 2014 (dwg nos. location plan 001 rev F; floor plans 250 rev A; 260 rev D; 265 rev A; 275; 291 & 295 and elevation plans 255 rev A; 261 rev G; 266 rev A; 275; 281; 292 & 296), 22 July 2014 (dwg. nos. site plan 100 rev F; floors plans 280; 285 & 290 and elevation plan 286) and 2 September 2014 (dwg nos. 105 rev A & 106) as modified by other conditions of this consent.
- Reason:** In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials

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

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

# Agenda Item 5

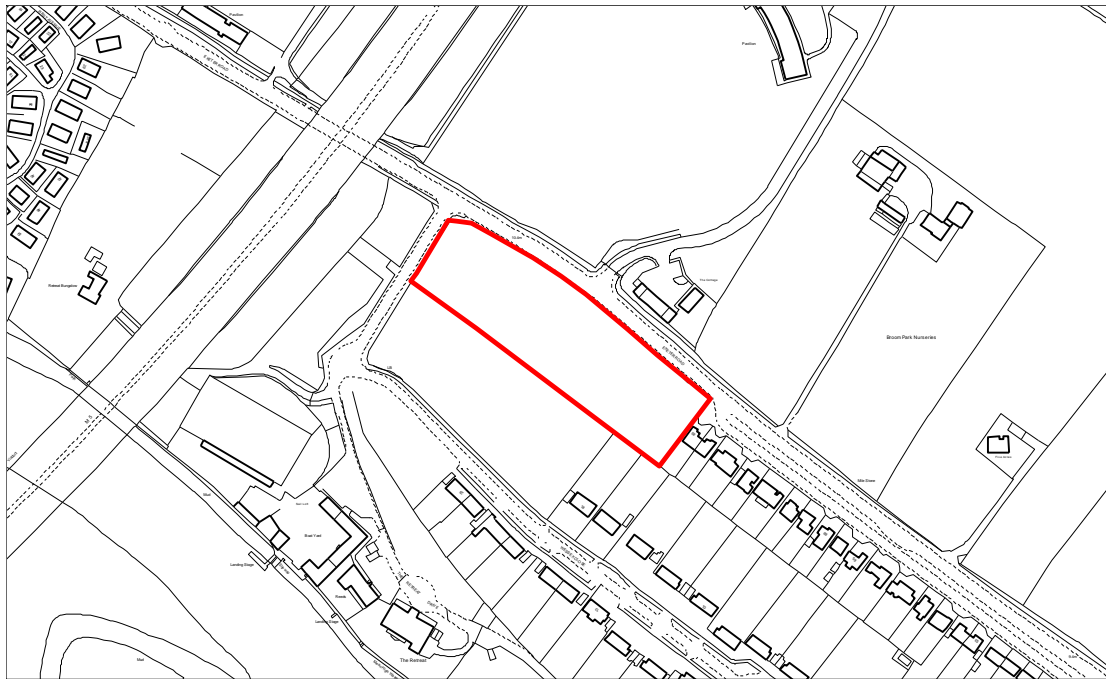
## ITEM NO.

COMMITTEE DATE: 29 SEPTEMBER 2014

**APPLICATION NO:** 14/1605/01      **OUTLINE PLANNING PERMISSION**  
**APPLICANT:** Heritage Developments (SW) Ltd  
**PROPOSAL:** Development of up to 23 dwellings, access and associated services.  
**LOCATION:** Land off, Exeter Road, Topsham, Exeter, EX3  
**REGISTRATION DATE:** 27/06/2014  
**EXPIRY DATE:** 26/09/2014

## HISTORY OF SITE

89/0772/03 - Formation of golf driving range with driving booths WDN 16/10/1991  
and  
associated greens and parking areas  
14/1605/01 - Development of up to 23 dwellings, access and COM  
associated services.



Scale 1:4000

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## Policy History

The ELPFR (1995-2011) and Core Strategy (2012) show the site as Landscape Setting. Specifically CP16 of the Core Strategy protects the 'strategic gap between Topsham and Exeter'. However, at the Core Strategy Examination it became apparent that ECC did not have a 5 year housing supply. The Inspector appointed to examine the Core Strategy asked the City Council to prepare a strategy to address this shortfall. The 'Development Management Policy Statement - Bringing Forward Housing' was subsequently adopted by Executive in January 2012.

This document identified a number of sites in Appendix A not in the 2010 SHLAA - including land east of the M5, Exeter Road, Topsham. Policy 2 of the 'Development Management Policy Statement' stated 'the Council will seek to engage with land owners and developers of

the sites listed within the accompanying schedule (Appendix A) with a view to promoting where appropriate housing development on this land to deliver completions within the next 5 years' and Policy 7 of the same Statement stated 'the Council will carry out a detailed appraisal of all significant areas of land within the City boundary not currently, or proposed to be, allocated for housing to assess the longer term potential of such land to provide additional housing development'.

Subsequent to this, the Revised 2013 SHLAA shows the site as acceptable for housing 'given its location on the otherwise developed southern side of Exeter Road, the site is considered to lie within the existing urban area of Topsham' and 'the southern side of Exeter Road is for the most part residential – site 66b (together with adjoining site 84 (land north of Wessex Close)) forms only a small area of undeveloped land within it. It is not considered that development of this small area would significantly harm the landscape setting of Exeter or Topsham.'

It is noted that the site to the rear (land north of Wessex Close) has an application for 15 dwellings - not yet determined (Application No. 14/0525/01).

### **DESCRIPTION OF SITE/PROPOSAL**

The site lies on the southern site of Exeter Road and to the east of the M5 motorway bridge. To the east, along Exeter Road, is a continuous frontage of housing accessed off a separate service road south of which lies a further area of established residential development.

The proposed development site is flat, with open frontage to the north adjacent to Exeter Road but contained on the southern boundary by a row of mature trees. These trees are covered by a group TPO (No. TPO 602). A low brick wall runs along the frontage with Exeter Road, whilst post and rail fencing forms the boundary to the west along Retreat Drive. An existing field gate provides access off Retreat Drive. To the south of this application site is a small area of land that is currently laid to meadow and screened from the motorway by mature trees along its western and southern boundaries. It is also allocated in the emerging DDPD.

This application is submitted in outline with all matters reserved except for access.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

**D&A Statement:** the proposal supports Policies CP1(iv) and CP3 of the Core Strategy and is identified in the emerging Development Delivery Document. The site is approx. 0.78ha in size and forms the northern part of the Policy DD8 site.

The proposal is submitted in outline with all matters reserved except for access. However, the proposal presented includes:

The development of up to 23 dwellings of which 35% affordable homes are offered as affordable housing with a range of sizes and tenures:

- 15 no. 3 bed units – Market Housing
- 2 no. 2 bed units – Social Rented Housing
- 1 no. 2 bed wheelchair unit – Social Rented Housing
- 2 no. 3 bed units - Social Rented Housing
- 3 no. 3 bed units - Intermediate Shared Equity Housing

A cash contribution of £80,000 (equivalent to 0.635 of an additional Affordable Social Rented Dwelling) is also offered in order to adjust for the 70:30 Social Rented : Intermediate required tenure split.

Two points of access are proposed to serve the new dwellings: the main one off Exeter Road continuing the format of a Service Road along Exeter Road; the other serving the remaining five properties off Retreat Drive in the vicinity of the existing field access.

Enhancement of bio-diversity interests through additional planting and other mitigation measures are proposed. An area (0.09ha) falling within the same ownership to the west of Retreat Drive is offered as public open space.

**Draft Heads of Terms:**

- 35% affordable housing including financial contribution to adjust the tenure split requirement of 70:30 Social Rented : Intermediate Units
- Public Open Space on land to the west of Retreat Drive
- Future management of the public open space and all communal areas not otherwise to be adopted, including the tree belt along the southern boundary of the site, landscape buffer along the northern boundary of the site with Exeter Road, forecourts etc through a management company controlled by future residents

**Arboricultural Survey:** The only trees on the plot are those on the boundary between the two fields; the ownership of these trees varies with some of the trees straddling the boundary. They are covered by a Tree Preservation Order (Exeter City Council reference: TPO602). While there are some British Standard 5837:2012 Category B specimens (trees of moderate quality with an estimated remaining life expectancy of at least 20 years) on the field boundary, the majority are considered to be British Standard 5837:2012 Category C (low quality and value with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm).

**Preliminary Ecological Appraisal:** There is no evidence, on the basis of the scoping appraisal and survey work carried out on the 23rd April 2013, that the proposed development would have any detrimental effect on the site's ecology or on the habitat value of adjoining land. The site is not covered by any designations designed to protect wildlife or habitats and the impact of any construction within this largely urban landscape would be minimal.

**Gradiometer Survey Report:** Detailed gradiometer survey was undertaken over all accessible parts of the site and has demonstrated the presence of anomalies of likely, probable and possible archaeological significance along with regions of increased magnetic response and at least one modern service. As the survey is fairly narrow it is unclear whether the archaeological features detected are indicative of concentrated settlement activity or are agricultural in function. Given the volume of known prehistoric, Roman and medieval activity in close proximity to the site it is likely that the anomalies detected relate to at least one of these phases.

**Archaeological Evaluation Report:** The archaeological evaluation confirmed a high concentration of archaeological features and deposits across the site.

**Air Quality Assessment:** The proposed development does not conflict with Local Plan Policy EN3 or Core Strategy Policy CP11. It is concluded that air quality does not provide any constraints to the proposed development. The results of the air quality monitoring conclude that the air quality is likely to be acceptable for residential development.

**Environment Noise Assessment:** A 24 hour noise survey has been carried out and has shown that noise levels are dominated by the M5 which runs on an embankment to the west of the site. Noise levels have been shown to fall in the Lowest Observed Adverse Effect Level classification and therefore there is a requirement to "mitigate and reduce to a minimum" noise level. Internal noise levels can be controlled by the use of higher performance glazing and whole house ventilation systems that can provide purge levels of fresh air even when the windows are shut. Externally noise levels can be minimised by designing the development to make use of the acoustic screening offered by boundary walls, fences, garage blocks and the houses themselves and placing sitting-out areas in the gardens in the eastward lee of these obstacles. Noise can therefore be seen to be fully

addressed and suitable mitigation provided for the residential use of this site to comply with current national planning guidance.

**Statement of Community Involvement:** Approximately 2,600 information leaflets were circulated throughout Topsham and Countess Wear to inform people of the proposals and point them to where they can find further information including:

- A full page advert in the Express and Echo, 3rd July 2014, and
- A dedicated website where people could provide feedback and express an interest.

Consultation feedback provided 4 objections and 42 in support.

## **REPRESENTATIONS**

39 objections received. The main points include:

- loss of the Gap / green Wedge between Exeter and Topsham
- the application is premature as regards to the ECC Draft Site Allocation and Development Management DPD
- the forthcoming Public Inquiry should be resolved first before attempts to obtain planning approval for this site
- loss to the character and setting of the listed building 'The Retreat' and surrounding conservation area
- the layout does not represent that of existing residential development in terms of density and is out of keeping
- the type and intensity of development is higher than the potential yield identified in the last ECC Strategic Housing Land Allocation Assessment 2013 and disproportionately higher than the surrounding context
- part of the proposal appears to rely on access from unadopted roads
- the proposal relies on the retention of existing trees on a neighbouring site that are unable to be retained (according to the developer of that site)
- proximity to the M5 and previous survey conclusions raises questions about the site providing a healthy and acceptable residential environment
- the real affordability of the affordable housing provision is questioned
- the form / layout does not lend itself to good eco design
- increased traffic congestion
- inappropriate and dangerous access
- consider re routing traffic away from Retreat Drive for reasons of safety and that the two proposed developments share access from Exeter Road and if possible Wessex Close
- devalue existing properties
- whilst this is a separate application, land north of Wessex Close (that is pending a decision), would result in a significant level of new development. This proposal is misleading in its overall impact.
- school and surgery places are at capacity
- water treatment works and sewer system are at capacity
- an appeal was lost in 1985 and countless since - what has changed?
- planning permission has been refused for fields east of Exeter Road due to excess M5 noise. What's the difference?
- no play facilities are proposed
- loss of the wall on the Exeter Road frontage which is part of the original Retreat House Estate and should be retained
- construction on Grade 1 agricultural land
- loss of biodiversity
- no sustainable drainage system / increase of flood risk
- the trees could become a perceived nuisance by future residents so dwellings should step away from them
- the heads of terms suggest a management company to manage the trees on adjacent land - this is unnecessary

- health and safety of local residents will be compromised during building works
- too many dwellings are being put in the Exeter area
- the developers consultation process has been a marketing exercise not engaged consultation with those directly effected

1 letter of support:

- support the concept of strategic planting on the Exeter Road frontage but it should be bolstered with additional planting. Pedestrian links through to the neighbouring site to the rear is supported but not vehicular links.

## **CONSULTATIONS**

**ECC Housing:** based on 23 units, 8 units shall be provided on site and a commuted sum for 0.05 homes will be required. The mix of affordable housing shall be representative of the market dwelling types and sizes. 70% of the affordable housing shall be social rented while the remainder shall be intermediate affordable housing spread across the site. A bespoke affordable housing offer has been made which is acceptable to officers.

**Environmental Health:** approve subject to conditions relating to Construction and Environment Management Plan, ambient noise and land contamination.

**Natural England:** CIL Contributions will secure the delivery of strategic mitigation measures to nearby wildlife sites of European importance.

**Highway Authority:** approve subject to conditions.

**RSPB:** ensure nesting boxes within buildings and green walls / garden boundaries by condition.

## **OBSERVATIONS**

### **Principle of Development:**

The policy history indicates that the context of this small site did not contribute significantly to the strategic landscape setting of the city and whose development would be acceptable as a strategic location for growth. As such the site is identified in the Revised 2013 SHLAA and emerging DDPD for development - indicating a presumption in favour of development on this site.

### **Highways:**

Given the modest scale of development and that a safe and suitable access to the site can be achieved for all users on to both Retreat Drive and Exeter Road, the proposed development is acceptable in highway terms. The increase in traffic resulting from the development is similarly acceptable in highway terms. Details of on-site provision will be agreed through a future reserved matters application. Subject to appropriate conditions and upgrades to the adjacent footway facilities being secured by appropriate legal agreement the proposal can meet highway requirements.

### **S106 / CIL:**

This proposal will be Community Infrastructure Levy liable. Affordable Housing can be provided to an acceptable standard subject to a S106 agreement as can open space provision with its long term management secured. Improvements to the pedestrian route between the boundary of the site with Retreat Drive and existing inbound bus stop on Exeter Road, including the provision of tactile paving at the crossing of Retreat Drive will be secured by agreement.

**Noise:**

The supporting Environment Noise Assessment report submitted by the applicant gave consideration to the use of screens or bunds on the perimeter of the site to reduce noise levels. However, with the M5 being the principle source of nuisance to the east on an embankment some 5m high, screening is not a viable option. Therefore, the control of internal noise levels will be relying on the sound insulation offered by the external fabric of the houses. This can be achieved with wall sound insulation, interlocking roof tiles or slates combined with 200mm (minimum) loft insulation and double boarded ceilings and windows to be double glazed sealed units with mechanical ventilation system. Externally, quiet sitting out areas will be provided in the lee - to the east of boundary fences, garages or adjacent houses to maximise potential for acoustic screening. As such, noise abatement measures can be introduced to British Standard requirements.

**TPO:**

Detailed assessment of the hedgerow that has a group TPO will be required as part of a detailed application and will address issues relating to the TPO boundary and its future retention. However, the TPO order should not in itself preclude development of the site.

**Sustainable Development:**

The residential development will be expected to deliver sustainable housing to Code Level 4 (in accordance to CP15 of the Core Strategy).

**Design**

Owing to this being an outline application detailed design discussions relating to the form, layout and design of the site have not taken place and will be addressed at full application stage. It is noted that an expected maximum yield of 16 dwellings is referenced in the Revised 2013 SHLAA. However, this is a guide and Policy CP4 of the Core Strategy seeks the highest appropriate density compatible with the protection of the character and quality of the local environment. The conservation area boundary is a significant distance from this site as is the listed building 'The Retreat'. The setting of the conservation area and listed building will not be adversely affected by the proposal due to the distances involved. Detailed discussions at full application stage will address the wall on the frontage to Exeter Road and it is not assumed that it will be removed. It is noted that this is a strategically important site because of its high profile. A Landscape Plan will be required at full application stage.

**Response to Representations**

A number of the representations have been addressed through this report including:

- loss of the 'Topsham Gap / Green Wedge'
- density and the layout not being in keeping with the existing
- inappropriate and dangerous access on to Retreat Drive and Exeter Road
- impact on The Retreat and conservation area
- proximity of the M5 and associated quality of residential environment
- retention of trees
- affordable housing provision; and
- play facilities.

However, the construction of additional housing in this location should not result in a direct loss in value to existing residential properties, sustainable drainage systems will be addressed through a future reserved matters application, compromised health and safety during any construction period and biodiversity may be addressed through conditions at full application stage. Reference to services and facilities being at capacity, the developer's consultation exercise being a management exercise and comments relating to a management company managing the trees on adjacent land as unnecessary are noted.

## DELEGATION BRIEFING 26th August 2014

Members were advised of the application. The policy history of the site was explained and whilst some discussion ensued, Members supported approval of the application.

### RECOMMENDATION

It is recommended that delegated authority be given to Assistant Director (City Development) to **APPROVE** the application subject to a S106 agreement and the following:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) No part of the development hereby approved shall be occupied until cycle parking facilities have been provided in accordance with details (including as to access arrangements) that shall previously have been submitted to agreed and approved in writing by the Local Planning Authority and maintained for that purpose at all times.  
**Reason:** To encourage travel by sustainable modes.
- 4) The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins, For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.  
**Reason:** To ensure that adequate information is available for the proper consideration of the detailed proposals.
- 5) 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:** In the interest of public safety.
- 6) No more than 50% of the development hereby approved shall be occupied until a pedestrian/cycle connection of at least 3.0 metres width from the development to its north east boundary with Exeter Road, as indicated on Drawing EXRD0001- SITE PLAN, has been provided and made available for public use. Such a link shall be maintained for this purpose at all times.  
**Reason:** To provide adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.
- 7) A visibility splay shall be provided, laid out and maintained for that purpose at the site access to Exeter 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 distance along the nearer edge of the carriageway of the public highway (identified as Y) shall be 55 metres in both directions.  
**Reason:** To provide adequate visibility from and of emerging vehicles, in the interest of public safety.
- 8) No part of the development hereby approved shall be brought into its intended use until the access, visibility splay as specified in condition 7, on-site vehicular parking

facilities and turning areas have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times

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

- 9) No more than 50% of the development hereby approved shall be occupied until a pedestrian/cycle connection of at least 3.0 metres width from the development to the south west boundary of the site, as indicated on Drawing EXRD0001- SITE PLAN, has been provided and maintained for this purpose at all times.

**Reason:** To provide adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.

- 10) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes Level 4 (including a 44% CO2 emissions rate reduction from Part L 2006) as a minimum, in accordance with the requirements of the Code for Sustainable Homes 2006, the Code for Sustainable Homes Technical Guide November 2010, the addendum thereto dated May 2014 (or such equivalent standard that maybe approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15.

**Reason:** to promote best practice in sustainable development.

- 11) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority a Design Stage CSH assessment including the score expected to be achieved and which standard this relates to. Where this does not meet the minimum required standard the developer must provide details of what changes will be made to the development to achieve the minimum standard, and thereafter implement those changes. Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until an application for a Final Code Certificate has been made seeking certification that the required Code Level has been achieved and within one year of occupation of any dwelling the developer shall submit to the Local Planning Authority a Final Code Certificate to demonstrate that a Final Code Level of 4 or 5 has been achieved as required above.

**Reason:** to promote best practice in sustainable construction.

- 12) C57 - Archaeological Recording

- 13) Prior to the commencement of the development hereby approved a wildlife plan, indicating how the design and layout of the site and buildings will maximise wildlife opportunities and habitat within the site, shall be submitted to and be approved in writing by the Local Planning Authority.

**Reason:** To ensure that wildlife opportunities and habitat are maximised in the development of the site in the interests of biodiversity.

- 14) UR2 - Unique Reason 2

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.

COMMITTEE DATE: 29 SEPTEMBER 2014

APPLICATION NO: 14/1918/03 FULL PLANNING PERMISSION  
APPLICANT: Ms S Sheldon  
PROPOSAL: Extension to the front of the dwelling including a dormer window  
LOCATION: 5 St. Johns Villas, Sivell Place, Exeter, EX2 5ES  
REGISTRATION DATE: 06/08/2014  
EXPIRY DATE: 01/10/2014

## HISTORY OF SITE

89/00899/03 -	Two-storey extension	PER	17/11/1989
14/1753/06 -	T1 Leylandii	Fell	PER 03/09/2014
	T3 Laburnum	Fell	
EN/92/00247 -	DEVIATION FROM APPROVED PLANS (1973!)	NFA	10/11/1992



Scale 1:1250

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## DESCRIPTION OF SITE/PROPOSAL

Planning permission is sought for an extension to the side of the original property and to the front of the existing two storey side extension. This new extension will continue the roof slope of the side projection down to ground floor eaves height in line with the front porch. It will have a dormer window for the additional first floor accommodation. Materials to be used in the construction of the extension are as used in the existing house.

## REPRESENTATIONS

None received.

## CONSULTATIONS

EHO Recommendation: Approval with conditions (construction/demolition hours)

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.

### **OBSERVATIONS**

The proposed extension is deemed to be acceptable. The property is located within Heavitree Conservation Area and is identified as making a positive contribution to the area. This side/front extension to create a dormer roof profile is in keeping with this particular property which was constructed in the 1970's. The extension does not comply with all of the specific guidance as set out in the Householders Guide to Extension Design SPD (2008) due to the front elevation of the extension not being set back from the original property. However it does comply with the general principles of this document specifically, Principle 3 (natural light and outlook), Principle 5 (scale and massing), Principle 6 (roofs) and Principle 8 (materials).

Due to the roof sloping to a ground floor eaves height, and the orientation of the house in relation to neighbours, the extension will not result in a loss of light or outlook of neighbouring properties and is thus compliant with Principle 3. The scale and massing of the dormer roof are still clearly subservient to that of the main house, and the choice of a roof pitch and design, and matching materials on the extension and dormer matching those of the main house will be in accordance of Principles 5, 6, and 8 of the Householders Guide to Extension Design SPD 2008.

An extension in this position will not harm the character or appearance of the host property, or the Heavitree Conservation Area. The scale and massing, design and materials of the proposal are deemed to be subservient to the original house and in keeping with its context. As such the proposal is recommended for approval.

### **RECOMMENDATION**

**APPROVE** subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 13th August 2014, as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) C17A - Matching materials
- 4) 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:** To protect the amenity of neighbouring residents during the construction of the extension.

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

Background papers used in compiling the report:

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

**EXETER CITY COUNCIL  
PLANNING COMMITTEE  
29 SEPTEMBER 2014**

**PLANNING DECISIONS AND WITHDRAWN APPLICATIONS**

**1 WHAT IS THE REPORT ABOUT**

- 1.1 This report lists planning applications determined 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.

**2 RECOMMENDATION**

- 2.1 Members are requested to advise the Assistant City Development Manager Planning (Roger Clotworthy) or City Development Manager (Andy Robbins) of any questions on the schedule prior to the meeting of the Planning Committee.
- 2.2 Members note the report.

**3 PLANNING APPLICATION CODES**

- 3.1 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
- 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
- 39 Extension - Prior Approval
- 40 Office to Dwelling - Prior Approval

- 3.2 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

**ASSISTANT DIRECTOR CITY DEVELOPMENT**



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**Application Number:** 14/0725/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      05/09/2014                      DEL  
**Location:**                      21 Croft Chase, Exeter, EX4 1TB  
**Proposal:**                      Replacment two storey rear extension

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**Application Number:** 14/1698/04                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      16/09/2014                      DEL  
**Location:**                      Barley Lane School, Barley Lane, Exeter, EX4 1TA  
**Proposal:**                      Tree No                      Species                      Works  
   T2                      Oak                      Fell  
   T4                      Monterey pine                      Fell  
   T5                      Holm Oak                      Reduce height by 3m

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**Application Number:** 14/1172/03                      **Delegation Briefing:**  
**Decision Type**                      Refuse Planning Permission                      **Decision Date:**                      22/08/2014                      DEL  
**Location:**                      63 Wentworth Gardens, Exeter, EX4 1NQ  
**Proposal:**                      Two storey dwelling on land adjacent to 63 Wentworth Gardens

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**Application Number:** 14/1554/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      29/08/2014                      DEL  
**Location:**                      Franklyn House, Franklyn Drive, Exeter, EX2 9HS  
**Proposal:**                      Removal of glazed lantern and replacement of roof covering over annex to rear of property

## DURYARD

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**Application Number:** 14/1699/03                      **Delegation Briefing:**                      09/09/2014  
**Decision Type**                      Permitted                      **Decision Date:**                      11/09/2014                      DEL  
**Location:**                      70 Argyll Road, Exeter, EX4 4RY  
**Proposal:**                      GROUND FLOOR FRONT INFILL EXTENSION TOGETHER WITH FIRST FLOOR ALTERATIONS / RE-ARRANGEMENT

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**Application Number:** 14/1930/04                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      16/09/2014  
**Location:**                      7 Doriam Close, Exeter, EX4 4RS  
**Proposal:**                      T1 Scots Pine                      Reduce by 4m  
   Remove branch overhanging Doriam Close



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**Application Number:** 14/1717/04                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      29/08/2014                      DEL  
**Location:**                      121 Hamlin Lane, Exeter, EX1 2SF  
**Proposal:**                      Crown reduce by 25%

## NEWTOWN

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**Application Number:** 14/1611/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      09/09/2014                      DEL  
**Location:**                      15 Magdalen Road, Exeter, EX2 4TA  
**Proposal:**                      Variation of condition 2 of application ref.10/0308/03 to extend permitted opening hours to 8am until 10.30pm Monday - Sunday.

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**Application Number:** 14/1834/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      09/09/2014                      DEL  
**Location:**                      Armed Forces Careers Office, Western Way, Exeter, EX1 2DQ  
**Proposal:**                      Change of use of Ground, First, and Second Floors of Fountain House, Exeter, EX1 2DQ, of the existing 'Armed Forces Recruitment Centres' falling within Use Class A2 (Financial and Professional Services) of the Town and Country Planning (Use Classes) Order 1987, with all other associated works

## PENNSYLVANIA

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**Application Number:** 14/1775/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      03/09/2014                      DEL  
**Location:**                      59 Elizabeth Avenue, Exeter, EX4 7EQ  
**Proposal:**                      Single storey front extension

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**Application Number:** 14/1479/06                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      16/09/2014                      DEL  
**Location:**                      4 Pennsylvania Park, Exeter, EX4  
**Proposal:**                      Removal of root causing damage to property - Deodar Cedar tree

## PINHOE

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**Application Number:** 14/1553/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      03/09/2014                      DEL  
**Location:**                      Beacon Downe, Church Hill, Pinhoe, Exeter, EX4 9JB  
**Proposal:**                      Large detached garage

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**Application Number:** 14/1671/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      03/09/2014                      DEL  
**Location:**                      Beacon Downe, Church Hill, Pinhoe, Exeter, EX4 9JB  
**Proposal:**                      Two storey side extension, infill of existing single storey porch

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**Application Number:** 14/1754/04                      **Delegation Briefing:** 09/09/2014  
**Decision Type**                      Permitted                      **Decision Date:**                      10/09/2014                      DEL  
**Location:**                      2 Pinnbridge Court, Old Pinn Lane, Exeter, EX1 3RT  
**Proposal:**                      T1 Yew      Fell

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**Application Number:** 14/1073/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      16/09/2014                      DEL  
**Location:**                      J Sainsbury Plc, Hill Barton Road, Exeter, EX1 3PF  
**Proposal:**                      External alterations and minor extension to food store to accommodate relocated restaurant, alterations to car park layout, relocation of trolley bays & recycling centre & new sprinkler tank in service yard

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**Application Number:** 14/1784/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      16/09/2014                      DEL  
**Location:**                      7 Church Hill, Pinhoe, Exeter, EX4 9ER  
**Proposal:**                      Single storey extension

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**Application Number:** 14/1994/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      16/09/2014                      DEL  
**Location:**                      7 Reynolds Close, Exeter, EX4 8PN  
**Proposal:**                      Demolition of existing single-storey attached outbuildings; Construction of new single-storey side extension on similar footprint.

**POLSLOE**

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**Application Number:** 14/1478/03                      **Delegation Briefing:** 26/08/2014  
**Decision Type**                      Permitted                      **Decision Date:**                      05/09/2014                      DEL  
**Location:**                      Pinhoe Road Baptist Church, 157-165 Pinhoe Road, Exeter, EX4 7HZ  
**Proposal:**                      New entrance foyer and upgrade to car park

## **PRIORY**

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**Application Number:** 14/1612/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      04/09/2014                      DEL  
**Location:**                      Plot 19, Earls Park, Earl Richards Road North, Exeter, EX2 6AS  
**Proposal:**                      Proposed alteration of approved dwelling to include rear conservatory extension

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**Application Number:** 14/1885/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      08/09/2014                      DEL  
**Location:**                      23 Alice Templer Close, Exeter, EX2 6AE  
**Proposal:**                      Erection of 1.83m high fence along the wall bordering Barrack Road

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**Application Number:** 14/1398/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      10/09/2014                      DEL  
**Location:**                      Royal Devon & Exeter Hospital, Barrack Road, Exeter, EX2 5DN  
**Proposal:**                      Installation of new air handling unit and ducting on the roof, infilling high level windows with brickwork to match existing and replacement of windows to Post Mortem Room.

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**Application Number:** 14/2024/18                      **Delegation Briefing:**  
**Decision Type**                      Was lawful use                      **Decision Date:**                      10/09/2014                      DEL  
**Location:**                      11 School Lane, Exeter, EX2 6LB  
**Proposal:**                      Single storey rear extension

## **ST DAVIDS**

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**Application Number:** 14/1670/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      02/09/2014                      DEL  
**Location:**                      Kings Dwellings, King Street, Exeter, EX1 1BJ  
**Proposal:**                      Substitution of revised drawings with added ground floor extensions and minor changes to the elevations.

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**Application Number:** 14/1650/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      04/09/2014                      DEL  
**Location:**                      Arbuthnot Pensions & Investments, 17 Southernhay West, Exeter, EX1 1PJ  
**Proposal:**                      Internal and External repairs and alterations

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**Application Number:** 14/1411/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      05/09/2014                      DEL  
**Location:**                      Dean Clarke House, Southernhay East, Exeter, EX1 1PQ  
**Proposal:**                      Variation of Condition 2 to approved plans for appln 11/1951/03 to create additional residential accommodation including new roof lights and flat roof dormer windows.

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**Application Number:** 14/1412/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      05/09/2014                      DEL  
**Location:**                      Dean Clarke House, Southernhay East, Exeter, EX1 1PQ  
**Proposal:**                      Variation of Condition 2 to approved plans for listed building appln 11/1949/07 to create additional residential accommodation including new roof lights and flat roof dormer windows.

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**Application Number:** 14/1832/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      09/09/2014                      DEL  
**Location:**                      9 Friars Walk, Exeter, EX2 4AY  
**Proposal:**                      Replace garage roof

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**Application Number:** 14/1697/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      11/09/2014                      DEL  
**Location:**                      6 Richmond Road, Exeter, EX4 4JA  
**Proposal:**                      Additional fire ventilation rooflight to rear

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**Application Number:** 14/1773/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      15/09/2014                      DEL  
**Location:**                      207 High Street, Exeter, EX4 3EB  
**Proposal:**                      Alterations to shopfront and internal fit out



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**Application Number:** 14/1704/06                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      29/08/2014                      DEL  
**Location:**                      45 St. Davids Hill, Exeter, EX4 4DN  
**Proposal:**                      T1-5 Holly Fell

## ST JAMES

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**Application Number:** 14/1613/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      09/09/2014                      DEL  
**Location:**                      Armada House, 15 New North Road, Exeter, EX4 4HF  
**Proposal:**                      Demolition and Rebuilding of single storey extension, various internal alterations, alterations to garden levels and new detached garden building

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**Application Number:** 14/2047/37                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      16/09/2014                      DEL  
**Location:**                      4 Velwell Road, Exeter, EX4 4LE  
**Proposal:**                      Minor alterations to approved kitchen extension

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**Application Number:** 14/1573/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      20/08/2014                      DEL  
**Location:**                      11 New North Road, Exeter, EX4 4HF  
**Proposal:**                      Installation of rear skylights

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**Application Number:** 14/1757/04                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      29/08/2014                      DEL  
**Location:**                      1 Culverland Close, Exeter, EX4 6HR  
**Proposal:**                      T1 Holm Oak                      Crown lift by 2m and shorted back from Bowling Club to allow 1.5m clearance from building

## ST LEONARDS

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**Application Number:** 14/1363/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      20/08/2014                      DEL  
**Location:**                      1 Mount Radford Crescent, Exeter, EX2 4EW  
**Proposal:**                      Demolition of greenhouse and provision of garage with access off Wonford Road with parking bay





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**Application Number:** 14/1804/04                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      29/08/2014                      DEL  
**Location:**                      13 Leighdene Close, Exeter, EX2 4PN  
**Proposal:**                      T2 Walnut Crown reduce by 2-3m

## ST LOYES

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**Application Number:** 14/1638/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      05/09/2014                      DEL  
**Location:**                      Exeter Motorway Services Area, Sidmouth Road, Exeter, EX2 7HF  
**Proposal:**                      Installation of 1 additional no. Electric Vehicle Quick Charging Point in main car park area.

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**Application Number:** 14/2031/05                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      17/09/2014                      DEL  
**Location:**                      Former Taylor Maxwell House, Pynes Hill, Exeter, EX2 5AZ  
**Proposal:**                      Advertisement located on sites fence

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**Application Number:** 14/1606/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      20/08/2014                      DEL  
**Location:**                      Little Moor House, Falcon Road, Sowton Industrial Estate, Exeter, EX2 7LB  
**Proposal:**                      Re-Development of former Little Moor House Falcon Road, Sowton Industrial Estate EX2 7PL to provide new industrial building (Use Classes B1, B2, B8) for occupation as New Production Facility and Offices for Rotamic Holdings Limited.

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**Application Number:** 14/1786/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      29/08/2014                      DEL  
**Location:**                      22 Broadfields Road, Exeter, EX2 5QY  
**Proposal:**                      Single storey extension

## ST THOMAS

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**Application Number:** 14/1191/03                      **Delegation Briefing:**                      01/07/2014  
**Decision Type**                      Permitted                      **Decision Date:**                      22/08/2014                      DEL  
**Location:**                      Former Loft Club, Tin Lane, Exeter, EX2 9BH  
**Proposal:**                      Conversion of the first floor to two flats

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**Application Number:** 14/1524/03                      **Delegation Briefing:** 26/08/2014  
**Decision Type**                      Permitted                      **Decision Date:**                      27/08/2014                      DEL  
**Location:**                      7 Cecil Road, Exeter, EX2 9AQ  
**Proposal:**                      First floor rear extension over existing single storey extension

## TOPSHAM

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**Application Number:** 14/0984/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      04/09/2014                      DEL  
**Location:**                      14A Ferry Road, Topsham, Exeter, EX3 0JH  
**Proposal:**                      Replacement of garage doors and windows.

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**Application Number:** 14/1574/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      10/09/2014                      DEL  
**Location:**                      57 Fore Street, Topsham, Exeter, EX3 0HW  
**Proposal:**                      Extension to create new cloakroom with WC within enclosed courtyard.

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**Application Number:** 14/1668/03                      **Delegation Briefing:** 09/09/2014  
**Decision Type**                      Permitted                      **Decision Date:**                      10/09/2014                      DEL  
**Location:**                      349 Topsham Road, Exeter, EX2 6EZ  
**Proposal:**                      Addition of a front driveway, giving access to an existing service road and increasing the height of the boundary fences which border Southbrook road and Tollards road.

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**Application Number:** 14/1879/03                      **Delegation Briefing:** 26/08/2014  
**Decision Type**                      Permitted                      **Decision Date:**                      11/09/2014                      DEL  
**Location:**                      Land to rear of 2 Globe Court, Globe Lane, Topsham, Exeter, EX3  
**Proposal:**                      Demolition of existing buildings and erection of one detached dwelling

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**Application Number:** 14/1891/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      11/09/2014                      DEL  
**Location:**                      24 Monmouth Street, Topsham, Exeter, EX3 0AJ  
**Proposal:**                      Remove chimney stack at rear



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**Total Number of Decisions Made:**

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**82**

**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

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**REPORT TO:** PLANNING COMMITTEE  
**Date of Meeting:** 29 September 2014  
**Report of:** Assistant Director City Development  
**Title:** Appeals Report

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

No

**1. What is the report about?**

The report provides Members with information on the latest appeal decisions received and a record of new appeals submitted to the Planning Inspectorate.

**2. Recommendation:**

**Members are asked to note the report.**

**3. Summary of decisions received**

The following provides a summary of one decision that has been received since the last report. A copy of the decision letter is available online through searching the planning application reference number on the Council website.

**3.1 Berkeley House, Dix's Field, Exeter  
Application Reference: 14/0624/03**

The application sought change of use of part of the second floor from B1 Office Use to a yoga studio with ancillary office (D2) (personal consent) only.

The main issue was whether the appeal proposal would lead to the unsatisfactory loss of employment space within an established employment area. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with provisions of the development plan unless material considerations dictate otherwise. The development plan comprises the Exeter Local Development Framework Core Strategy and the Exeter Local Plan First Review 1995-2011. Policies CP2 of the former and E3 of the latter, seek to prevent the loss of employment premises. These provide a narrow definition of employment but are qualified to the extent that they do apply some flexibility where the loss would not harm business or employment opportunities in the area. The Council had disputed the number of employment opportunities predicted to result from the yoga studio and expressed concern that the premises had only been empty since October 2013 and no evidence of marketing had been provided. Berkeley House is an office building in a commercial area on the edge of the city centre, the ground floor is entirely occupied by an estate agents. The appellant is paying full rates on the vacant properties without income and has considered the option of converting two offices to residential use as 'permitted development'. To prevent the permanent loss of employment, the applicant had suggested a temporary permission for three years but this had not been taken up by the Council. The Council did not consider that links and relationships with other businesses would be created. However, the Inspector felt that there was no apparent reason why the proposed use would not in itself create links and relationships, provide an additional facility for the employees of other businesses in the area; as well as providing the opportunity for visitors to the City to enjoy linked trips to a facility in a

sustainable central location where access to public transport is excellent.

The Inspector allowed the appeal imposing conditions, one limiting the use to a three year period and one specifying the approved drawings for the avoidance of doubt.

The Inspector also approved an application for costs, which are yet to be submitted. In coming to his conclusion that the proposal was in accordance with the local development plan, he noted that the appellant was paying full rates on the vacant property and had submitted to the Council a separate Prior Notification application to convert the space to residential. The Inspector took the view that this conversion was a genuine fallback position and would, in the long term, result in the permanent loss of this employment space in the city centre. He concluded that the Council had given insufficient weight to the offer of a temporary consent, which would help to retain the space in some form of commercial use and allow the premises to return to office space in the future.

#### **4. New Appeals**

- 4.1 One new appeal has been received since the last report. It relates to 16b Monmouth Street, Topsham where permission was sought for a two storey rear extension.