

PLANNING

Date: Monday 4 May 2020 (adjourned from 27 April 2020)

Time: 5:30pm

Legislation has been passed that allows Council's to conduct Committee meetings remotely.

A virtual meeting of the Planning Committee is to be held on the above date via "Skype".

Members are invited to participate in 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.

Membership -

Councillors Lyons (Chair), Williams (Deputy Chair), Bialyk, Branston, Foale, Ghusain, Harvey, Mrs Henson, Mitchell, M, Morse, Sheldon, Sutton and Sparkes

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 10 am on the Thursday before the meeting (full details available on request from the Democratic Services Officer).

4 Planning Application No. 20/0194/ECC - The Night Shelter, Magdalen Street, Exeter

To reaffirm the vote on The Night Shelter Planning Application made at the adjourned meeting of this Committee held on 27 April 2020 - Report of the Director (BA).

5 Planning Application No. 19/0962/FUL - Land off Pulling Road, Pinhoe

To consider the report of the Service Lead City Development. (Pages 5 - 22)

6 Planning Application No. 19/1767/FUL - Quay Gardens, Monmouth Avenue, Topsham

To consider the report of the Service Lead City Development. (Pages 23 - 36)

7 Planning Application No. 20/0013/FUL - 37 Argyll Road, Exeter

To consider the report of the Service Lead City Development. (Pages 37 - 44)

8 List of Decisions Made and Withdrawn Applications

To consider the report of the Director (BA) (Pages 45 - 66)

9 Appeals Report

To consider the report of the Director (BA). (Pages 67 - 68)

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 1 June 2020** 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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COMMITTEE DATE: 27 April 2020

<u>APPLICATION NO</u>	19/0962/FUL
<u>APPLICANT</u>	Verto Homes
<u>LOCATION</u>	Land at Pulling Road, Pinhoe, Exeter
<u>PROPOSAL</u>	Residential development for 40 dwellings with associated access, landscaping, open space and infrastructure
<u>REGISTRATION DATE</u>	9 August 2019
<u>RELATED DOCUMENTS</u>	http://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PUQOCFHBILS00

Member's comments from 10 February 2020 Planning Committee

Members expressed disappointment that the affordable housing provision was less than the City Council policy compliant level of 35%. Further consideration should be given to both increasing the affordable housing provision and reducing car parking spaces.

The balance between the construction of zero carbon dwellings and affordable housing provision should be re-visited;

The cumulative impact of developments in Pinhoe as well as East Devon is detrimental to the highway network and leading to increased congestion. A car free development would therefore be preferable.

2 electric charging points should be provided for each property.

Officer's Update from last Planning Committee

Representations

One additional letter of objection received from the landowner of the adjacent field concerning:-

1. Substandard vehicular access would have a negative impact on existing residents during construction and in the future following completion;
2. Access from Pulling Road does not take account of potential for future expansion to the north and east of the site;
3. Access from Bourne Rise would provide a more suitable access point.

Further information provided by Applicant

Parking provision - The previous iteration of the layout considered by the Committee provided the following: allocated parking spaces 76 (including 69 on plot spaces, 2 carport spaces & 5 roadside spaces); visitor parking spaces 10 and garages 13. (It should be noted that the Highway Authority Devon County Council will not count garages within parking space provision).

The total number of spaces is therefore currently 76 allocated spaces and 10 visitor spaces, or 86 spaces.

In response to the Planning Committee request it is proposed to reduce the number of allocated spaces to 69. (a loss of 7 spaces) This will be achieved through a reduction in

spaces for Plots 31 and 32 and through a change of allocated spaces for Plots 3, 4 and 5 to 1 space per dwelling. The number of visitor spaces will be increased to 13 spaces resulting in a total for the site of 82 (*a loss of 4 spaces*) for a total of 40 units.

Whilst it can be reasonably assumed that residents of this zero carbon development may be more inclined towards a lower level of car ownership, these aspirations may not be shared by visitors to the site. It is therefore important to ensure that there is sufficient spaces provided within the site to avoid excessive levels of on street parking either within the site itself, or neighbouring streets. It should be noted that one of the concerns raised during consultation on the application was about the potential for car parking to spill onto neighbouring streets and the number of parking spaces had been previously increased in response to this.

Charging points - Following advice from a specialist supplier of home charging equipment, the agent considers that the provision of two charging points per dwelling as suggested during last committee meeting would be an over-specification. This is based on the availability of power usage for each dwelling and its impact on the local grid network and the anticipated driving behaviour of residents. Previous experience indicates that charge-points are not used to full speed all the time. Given the average driving behaviour of 22 miles a day in the UK the requirement for residents to charge two cars simultaneously will be highly unlikely on the presumption they are driving average electric vehicles with a range of 180 miles. The provision of two charge-points would only serve to meet the extremely unlikely situation that both cars are driven to the point of almost empty and both return home at the same time and both vehicles require an urgent charge in order to proceed with an onward journey. It is therefore not considered practical or advisable to engineer a solution for such a rare customer behaviour.

Observations

Since the previous meeting officers have discussed the affordable housing provision with the agent stressing that the original level proposed was unacceptable to Members and without a significantly enhanced offer it is likely that the application would be refused. During the dialogue and correspondence with the applicant it is clear that they are keen to develop this site within Exeter and accordingly, notwithstanding the viability report findings, has agreed to increase the number of affordable housing by additional 4 units on site. This would increase the overall affordable housing provision from the original 6 units (15%) to 10 units (25%) of the total 40 houses to be provided. The applicant has indicated that 6 of these units would be social rent and the remainder discounted market housing. The type of tenure and plots would need to be agreed within the Section 106 agreement. Members are reminded that this exceeds the previous level of affordable housing which was accepted by the Council's own viability appraiser. It is acknowledged that even the reduced level does not meet the 35% requirement but as set out in the report the undertaking of viability report to explain the reduction is recognised within the NPPF. It is therefore considered that this latest offer represents a significant enhanced level of affordable housing than originally proposed and accordingly the scheme is recommended for approval.

DESCRIPTION OF SITE/PROPOSAL

The application site (1.56 ha) is located on land to north of existing properties in Pulling Road and Bourne Rise. Further to the north three properties are located, accessed from a private drive off Church Hill. An open field lies to the east of the site with further properties overlooking the site from Church Hill. The site comprises of an undulating field used for horse grazing. The site slopes distinctly from north to south. The site is bounded to the north, west and south by mature trees and hedgerows. Access to the site is currently achieved from a track to the north east corner of the site that leads onto Church Hill.

The application seeks to develop the site for 40 dwellings with a new access off Pulling Road. The dwellings are proposed to be zero carbon smart homes with a mix of apartments (including 1 wheelchair accessible flat), terrace (3 units), semi-detached (16 units) and (19 units) detached properties, the majority of which are 3 and 4 bedroomed. The majority of the dwellings will be two storey with nine being split level three storey which take account of the sloping nature of the site. The majority of the house types incorporate brick, timber, some zinc cladding with natural slate/zinc roofing within a contemporary design. The scheme's density is approximately 25 dwellings per hectare.

A new access is proposed off Pulling Road. This will be created by extending the existing turning head off Pulling Road following the demolition of the existing garage of No. 8 Pulling Road. The construction of the access will include the creation of a new culvert over the existing stream ditch. The narrowness of the access will mean that access/egress of the site will be a one way priority system. The arrangement does allow for emergency and refuse vehicles to use the access. A restricted footway is provided at the entrance of the site due to the limited space available. The layout indicates that an emergency access is proposed to the north east corner of the site. In addition a new pedestrian access is proposed to the north-west corner of the site to link in with the Pinhoe Quarry development beyond the existing mature treeline to the west.

The development proposes a total of 86 car parking spaces to serve the 40 dwellings through a combination of onsite spaces and a 10 visitor's spaces. Cycle parking is proposed to be provided within each of the plots.

The application proposes an area of open space to the west of the site adjacent to an existing mature tree line. No formal provision of open space children's play area is proposed within the site because the proposed development is less than 50 dwellings and therefore is not a requirement under Local Plan Policy DG5, although the applicants have offered to pay a commuted sum toward this provision off site.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is supported by a Planning Statement, Design and Access Statement, Ecological Impact Assessment, Flood Risk Assessment. Landscape and Visual Impact Assessment; Statement of Community Involvement; Transport Statement; Tree Survey; Tree Constraints Plan; Arboricultural Impact Assessment; Tree Protection Plan and Utilities Plan.

REPRESENTATIONS

26 letters/emails of objection received. Principal issues raised:-

1. Too much development already in Pinhoe;
2. Infrastructure cannot cope with further development in the area;
3. Loss of habitat;
4. Potential for flooding in the area;
5. Loss of green space;
6. Increased traffic leading to congestion;
7. Impact on wildlife such as badger, foxes, bats, sand lizards, dormice, slow worms etc;
8. Poor access arrangement;
9. Noise from heat pumps;
10. No construction traffic should use private drive to the north;
11. Restrictive access into the site;
12. Construction traffic will affect existing hedgerow/trees;
13. Loss of privacy from increased vehicular and pedestrian activity adjacent to existing property;

14. Noise and dust from construction traffic;
15. Contribute to parking problems within Pulling Road;
16. Impact on existing drainage/sewerage system;
17. Light pollution from vehicles;
18. Noise, light, pollution from resident's vehicles;
19. Lack of affordable housing;
20. No permission for emergency access over private land as shown on plan;
21. Lack of privacy from vehicles using emergency track adjacent to existing neighbour's gardens;
22. Impact on existing trees;
23. Need for additional screening from the site to the south;
24. No children's play area proposed on site;
25. Lack of secure cycle parking;
26. Poor pedestrian/cycle permeability.

CONSULTATIONS

The County Head of Planning Transportation and Environment comment that the submitted Transport Assessment suggest that trip rates to the proposed development would create 24 two-way AM peak hour vehicle trips & 23 two-way PM peak trips.

In order to bring development forward in the Pinhoe area (as the network is congested, with specific interest on the impact of the Pinhoe Double Mini-roundabouts), a strategy (Pinhoe Area Access Strategy - PAAS) was created to ensure that planned development (identified in the two local plans {ECC and EDDC}) in the Pinhoe area would be supported with appropriate and effective transport infrastructure measures.

Since the PAAS was written, a number of the planned developments have now come forward and much of the identified transport infrastructure delivered. There has also been additional development beyond that initially planned for and the designation of a Village Green on part of Eastern Fields prevents the Exhibition Way Link Road, one of the key mitigation measures.

Consequently, to improve the choice of sustainable modes, provide additional route choice and enhance public realm and safety, a PAAS addendum has been populated.

To make this application acceptable in highway terms a contribution is sought from the developer to enable DCC to carry out the measures identified in the addendum. This approach is consistent with the approved Home Farm development (ECC Planning Ref: 16/1576/OUT) which had previously been approved by ECC with this S106 request. It is also consistent with the Pinn Court Farm application (EDDC Planning Ref: 12/0795/MOUT) which also was granted consented at appeal subject to S106 obligations.

Therefore, to act as a fair and reasonable approach a pro-rata sum from the Home Farm Development is taken. The Home Farm development secured £390k from 120 homes and therefore for 40 homes (as per this application) a contribution of £130k is required to fund measures identified in the PAAS addendum.

Access

Vehicular access to the site is via Pulling Road and is shown on Drawing Number 100 Rev E; this shows that priority system is being proposed over a culvert. Vehicles approaching the Pulling Road side have priority over vehicles exiting the proposed site, with the drawing showing forward visibility of 50m which is ample enough for one vehicle to see another on approach. The applicant has also proved that a refuse vehicle can pass by an estate vehicle whilst stationary on either side of the give way system. In order to achieve this, changes to

Pulling Road are required – this involves partial narrowing of the footways on the Pulling Road side – this is acceptable in principle.

The second point of access is an emergency access onto Church Hill; this will be closed at all times for vehicles except for when is absolutely necessary. The visibility out onto Church Hill is substandard, but given the very limited movements, this does not form a reason for refusal.

The primary point of pedestrian access is also via Pulling Road using the culvert. It is recognised and has been discussed with the developer that there is a pinch point at the culvert where the footway narrows down to 1.2m (the absolute minimum as per Manual for Streets), but as this is only for a short section and widens out at a later point this is acceptable. It is noted that due to the widening works to allow refuse lorries through, one side of Pulling Road footway also narrows down to 1.2m; it is acknowledged that there is a pedestrian crossing point proposed further down Pulling Road.

The above access points have been through a Road Safety Audit and is therefore acceptable. These access works should be secured under the appropriate Highways Act. Finally, the applicant is providing a footway link to the north of plot 21, connecting into Pinhoe Quarry (ECC Planning Ref: 19/1100/RES) adding to the sustainability to the site.

Internal Roads and layout

Well-designed residential streets are central to sustainable development and therefore the design of the internal road layout must accord with the principles of Manual for Streets and appropriate sustainable design guidance.

The applicant has liaised with the Highway Authority numerous times to discuss the internal layout and consists of a 4.8m carriageway and a 2m footway throughout the scheme. To the north-eastern parcel of the scheme a shared space approach has been taken which is acceptable given the number of units accessing this section of development.

The applicant has provided visibility splays on the submitted drawings (2.4 x 25m) for the internal layout which is acceptable given the likely speeds that are likely to occur in a residential development. A Traffic Regulation Order is required to extend the 20mph zone that is already in place on Pulling Road.

The rest of the vehicular layout is broadly acceptable for a residential development and has been through a number of iterations with the applicant. There are however a few elements of the design which are overly highway focused for residential streets. Options to provide a lower speed environment that better encompasses the manual for streets philosophies should be refined through the Section 38 process.

On Site Facilities

The onsite layout appears to have enough parking spaces on site together with a number of visitor parking bays. Many of the onsite parking spaces are located immediately outside of the respective properties (rather than being placed in parking courts) which should minimise on street parking and is welcomed.

It is not clear if secure covered cycle parking has been provided for all of the dwellings (including flats) proposed the applicant should provide further detail and the quantum should meet the standard set out in the Sustainable Transport SPD. To complement the good links to cycle routes, a condition is recommended to ensure secure cycle parking is provided.

Travel Planning

In accordance with paragraph 111 of the NPPF and the Sustainable Transport SPD, the development will be required to have a Travel Plan each. A Travel Plan should be introduced including details of walking and cycling routes, as well as public transport including maps,

timetables, and information about ticket offers. It should also include information about car sharing schemes, car clubs, eco-driving and motorcycle safety. These measures should be encouraged to continue the promotion of non-car-based travel. Note a financial contribution is not sought from this development as the proposals fall below the 50 dwellings which triggers a S106 request.

Construction

The proposals will require demolition/construction work adjacent in a sensitive area of the highway. To protect the safety of users of the public highway it is essential that the construction arrangements are carefully managed, and that appropriate space is available off the highway for all construction plant/vehicles. A condition is recommended to ensure this, and the applicant is advised to meet to agree suitable working arrangements prior to commencement.

As mentioned previously, the submitted application includes a new culvert which is to support a new highway. To ensure the safety of users of the highway, the applicant is advised, prior to the construction of the culvert, a detailed AIP shall be checked and approved by the DCC structures team.

Summary

The additional traffic impacts in the Pinhoe Area are a fundamental concern, however with the PAAS strategy in place together with the S106 contributions to be made to DCC to provide suitable infrastructure, the impacts of the development can be mitigated. Subject to these conditions being attached in the granting of any permission the highway authority would raise no objection to the proposed developments.

The applicant is reminded that the Highway Authority will expect blacktop and imprint on the adoptable areas. Although not a reason for refusal any area of block paving is acceptable in principle, but the applicant is reminded that blocks will be replaced with black top (when required for maintenance etc).

The Council's Environmental Health officer raise no objections subject to a condition in respect of unexpected contamination which may be found at the site during construction.

RSPB recommend one integral bird/bat box per residential unit in line with the biodiversity requirements of the Residential Design Guide SPD.

South West Water comment that they are able to provide clean water from the existing public water main and foul sewerage services from the existing public foul or combined sewer in the vicinity of the site. The applicant will be required to contact to SWW for more information.

Devon County Flood Risk Management Team raise no in principle objections from a surface water drainage perspective subject to pre-commencement conditions. Comment is made that the applicant has put forward a feasible surface water drainage solution. Due to the layout of the site attenuation tanks are deemed an acceptable form of surface water management as it is understood that the drainage strategy is restricted.

NHS has requested that a financial contribution is made towards providing additional health care services to meet patient demand. *A response has been given to the NHS to their request stating that there is a lack of policy justification for contributions at the current time, which are considered to be strategic in nature and not specific to any one site.*

Devon County Education officer has identified that a development up to 39 family type dwellings will generate an additional 9.75 primary pupils and 5.85 secondary pupils which

would have a direct impact on the primary and secondary schools in Exeter. In order to make the development acceptable in planning terms, an education contribution to mitigate its impact will be requested. This is set out below:

We have forecast that there is enough spare primary capacity for 6.00 pupils and therefore we will request primary education contributions against the remaining 3.75 pupils expected to be generated from this development. The primary contribution sought would be £60,071 (based on the DfE new build rate of £16,019 per pupil). The contributions will be used towards new primary provision at Monkerton.

We have forecast that there is enough spare secondary capacity for 1.35 pupils and therefore we will request secondary education contributions against the remaining 4.50 pupils expected to be generated from this development. The secondary contribution sought would be £109,174 (based on the DfE new build rate of £24,261 per pupil). The contributions will be used towards new secondary provision at South West Exeter. This new provision will release capacity at secondary schools in the East of Exeter to serve Monkerton and surrounding development.

In addition, a contribution towards Early Years provision is needed to ensure delivery of provision for 2, 3 and 4 year olds. This is calculated as £9,750 (based on £250 per dwelling). This will be used to provide early years provision for pupils likely to be generated by the proposed development. The contributions will be used towards new early year's provision at Monkerton.

In addition to the contribution figures quoted above, the County Council would wish to recover legal costs incurred as a result of the preparation and completion of the Agreement. Legal costs are not expected to exceed £500.00 where the agreement relates solely to the education contribution. However, if the agreement involves other issues or if the matter becomes protracted, the legal costs are likely to be in excess of this sum.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework (February 2019)

- 3. Plan making
- 4. Decision-making
- 11. Making effective use of land
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment

Exeter Local Development Framework Core Strategy (Adopted 21 February 2012)

- CP1 Spatial Strategy
- CP4 Residential Density
- CP5 Meeting Housing Needs
- CP7 Affordable Housing
- CP12 Flood Risk
- CP14 Renewable Energy
- CP15 Sustainable Construction
- CP16 Green Infrastructure
- CP17 Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)

- AP1 Design and Location of Development
- AP2 Sequential Approach
- H1 Search Sequence
- H2 Location Priorities

H5	Diversity of Housing
LS1	Landscape Setting
T1	Hierarchy of Modes
T2	Accessibility Criteria
T3	Encouraging Use of Sustainable Modes
C2	Listed buildings
C5	Archaeology
DG1	Objectives of Urban Design
DG2	Energy Conservation
DG4	Residential Layout and Amenity
DG5	Provision of Open Space and Childrens Play Areas
DG6	Vehicular Circulation and Car Parking in Residential Development
DG7	Crime Prevention and Safety

Development Delivery Development Plan Document (Publication Version)

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

DD1 Sustainable Development

DD13 Residential Amenity

DD20 Sustainable Movement

DD25 Design Principles

DD29 Landscape Setting Areas

'Development within the Landscape Setting Areas will only be permitted where:

a) there is no harm to the distinctive characteristics and special qualities of the landscape setting of the City and the wider area; and

b) it does not contribute towards the urbanisation of these areas; and...'

Exeter City Council Supplementary Planning Documents

Sustainable Transport (March 2013)

Affordable Housing

Residential Design Guide (2010)

OBSERVATIONS

Principle of development

The application site lies in an area designated as landscaping setting with Exeter Local Plan which seeks to resist development which would harm the local distinctiveness and character. However Members will be aware that the Council cannot currently demonstrate a five year supply of deliverable housing site. A consequence is that the relevant Local Plan policy LS1 has been given limited weight by Inspectors at recent appeal decisions relating to residential schemes within areas of landscape setting. This is due to the policy being out of date effectively seeking to limit development to the existing urban area rather than providing sufficient site specific landscape assessment which ensures that the character of the area is maintain. However full planning weight is attached to Core Strategy policy CP16 which seeks to protect and enhance the character and local distinctiveness of areas identified within the key diagram (within which this site is located). However as evident from the appeal decision at the nearby Home Farm Inspectors consider that the objective of Policy CP16 does not seek to prevent all development within the areas shown on the key diagram as it needs to be balanced against the needs to bring forward deliverable housing site. In summary, the impact of the development on the landscape character of the site in this particular instance needs to be balanced against the need for housing to meet the five year housing supply.

It is clear that the impact of 40 dwellings and associated infrastructure will result in a significant change to the character of this landscape on this site. The applicant has provided

detailed a detailed landscape scheme which seeks to supplement the existing trees and hedgerows around the site which are indicated to remain. In particular the mature trees are to be retained to the south and west of the site. More limited additional planting is proposed within the internal layout of the housing and consequently it is considered the resultant development will appear significantly urbanised in contrast to its present state, which is heightened to a certain extent by the stepped nature of the site. Notwithstanding the applicants attempts to integrate the development within the area through additional planting it is inevitable that development will have a significant impact on the character of the area.

As previously stated the landscape designation itself cannot be relied upon to resist development in principle given the limited weight attached to Local Plan Policy LS1. Consequently it is necessary to consider the context within which the application site is located. Recent approvals and development at Pinhoe Quarry and Home Farm respectively will and have resulted in an extension of the urban area in this location. The site will be set within the context of these two major residential schemes and within the existing established development to the south. It is considered that its contribution to overall landscape character of area in strategic terms is now diminished. In light of recent appeal decisions it would be difficult to argue that the landscape quality of this site should be afforded greater weight than the provision of housing in this instance. Accordingly it is considered that the principle of residential development in this location is acceptable.

Zero Carbon development

The applicants are promoting zero carbon housing for the whole scheme. This will take the forms of solar pv panels, highly insulated air tight construction, mechanical ventilation and heat recovery, air and ground source heat pumps, smart home integration and double/triple glazed windows. The properties will not incorporate fossil fuel heating eg gas boiler and will contribute towards meeting carbon neutral target which is a City Council aim. The applicants are seeking to achieve an exemplar scheme for future residential development in the city by demonstrating that sustainable and zero carbon construction is deliverable at larger scales. In addition, the applicant has stated its intention to achieve a net gain in ecological habitat, improvements to footpath to adjacent site in Pinhoe Quarry and provide electric pool cars and bike availability for future residents of the site. Verto Homes have stated that they have won a number of awards in the industry for their sustainable construction methods. The promotion of zero carbon dwellings exceeds the development plan requirements for sustainable construction however it is clearly to be welcomed as an approach to carbon neutrality and adds further weight to planning balance to this site's appropriate for residential development. A consequence of the applicant's approach has however inevitably led to an increase in the building cost per dwelling (estimated at approximately £27,700) and this has been reflected in the provision of affordable housing proposed.

Affordable Housing provision

The applicant has offered 15% on site affordable housing. A policy compliant scheme requires a 35% provision of affordable housing. The applicant's offer would equate to 6 affordable housing on site out of a total of 40. This figure has been reached following the submission of a viability report which has been assessed by the Council's independent viability consultant. Whilst originally the report stated that 5 affordable units could be justified the applicant have further increased this number to 6 in an attempt to achieve a percentage closer to the 35%. Clearly there is still a shortfall of 8 dwellings to meet the 35% requirement which would equate to 14 units. The NPPF recognises that the submission of viability assessment is justified where the applicant wishes to demonstrate that they are not able to comply with the development plan policies. In this instance it is accepted that the zero carbon nature of the housing provision whilst welcomed does come at a cost to the provision of affordable housing. The viability assessment forms part of the planning balance for this case and is stated in the NPPF as being a matter for the decision maker.

Since this original report the applicant has confirmed their agreement to increase the number of affordable units from 6 to 10 thereby increasing the percentage from 15 to 25% of the total provision. This would relate to 6 social rented and 4 discount market homes. This would be covered by a 106 agreement.

Educational Contribution

Given the recent changes to the Community Infrastructure Levy Devon County Council as the Education Authority are seeking financial contributions in accordance with their Education Infrastructure Plan 2016-2033. The details are contained within Education officer's response but essential a financial contribution of £178,995 has been requested to cover the provision for primary (£60,071) secondary (£109,174) and early year's provision (£9,750). It is currently considered that this educational contribution should be delivered via the 106 agreement. However if it is subsequently agreed by the City Council that the education contribution will be met from CIL payments then the affordable housing provision should be revisited.

Highway issues

Local residents have raised significant concerns regarding the traffic generation to the site and wider impact on the Pinhoe area. The highway officer has been involved in detailed discussions with the applicant regarding the access off Pulling Road which has now resulted in an acceptable if compromised arrangement. The scheme has been through a road safety audit and is therefore in overall terms is considered acceptable. The highway officers considers that the provision of a footway link to the north of plot 21 is to be welcomed and adds to the sustainability of the site. Whilst visually the main vehicular access will appear slightly contrived, in technical highway terms it does represent an acceptable and safe arrangement for vehicular, pedestrians and cyclists. The slope of the site has been challenging for the internal road layout but suitable parking areas and footways are now proposed and is considered acceptable. The highway officer recommends that a payment towards a traffic regulation order is required to extend the 20mph limit that is already in place on Pulling Road. In addition conditions are required to secure cycle parking, a travel plan, a construction and environmental management plan and the need to provide the detailed access arrangement onto Pulling Road before development commences. The plans indicate that an emergency access is to the north east of the site however it is clear that this should be used on restricted limited basis given the proximity to residential gardens and the poor visibility out onto Church Hill. This can be control with a planning condition.

In response to concerns about the wider impact on 40 dwellings on the existing highway network in the Pinhoe area. The highway officer has stated that to make this scheme acceptable in highway terms a financial contribution of £130,000 is required to progress work identified in the Pinhoe Area Access Strategy. Whilst this has been clearly influenced the viability of the scheme in terms of a policy compliant affordable housing provision the issues raised by the highway officer are fundamental to acceptability of the scheme in traffic terms. This money will be paid through a 106 agreement.

Layout and impact on neighbouring properties

The scheme proposes dwellings with a distinctive appearance which include asymmetrical roofs to allow the roof to accommodate solar pv panels. The scheme proposals a variety of different external materials including brick, timber and natural slate with zinc feature cladding. The overall design approach for the proposed buildings is contemporary in contrast to the surrounding existing traditional housing of this area of Pinhoe. However it is considered that the variation of house designs and the materials used would create sufficient visual interest across the site to help break up its appearance which as previously stated is an area of landscape setting. It is therefore considered that the contemporary building design approach is acceptable in this location.

It is understood that the sloping nature of the site has required changes to the original road gradient and this has also impacted on the layout of the development. The proposed gardens in many instances are split level to take account of the slope within the site. Whilst this has resulted in relatively small gardens it is acceptable that they meet the minimum garden standards and are therefore appropriate in this location. In addition the layout has responded to the existing mature vegetation which exists to the south and west of the site. It is considered that the presence of the mature trees does provide a suitable setting for the development and helps to visually accommodate the proposed number of units on the site. The overall layout does appear as a logical combination of visual interest within the streetscene and level of amenity provision for future residents to be acceptable.

The applicant has indicated a limited area of public open space to the west side of the site. It is accepted that as the development is less than 50 dwellings there is no policy requirement to provide 10% open space. The applicant has indicated that they will provide a pedestrian link to the north into the adjacent Pinhoe Quarry site, which is to be welcomed. In addition, the applicant has offered a financial contribution towards off site play equipment to compensate for the lack of play provision within the site.

The proposed layout would result in limited impact on existing neighbouring properties. Whilst the access arrangement will inevitably result in increased traffic generation in Pulling Road and particularly for 8 Pulling Road given the technical highway matters have been resolved it is not considered that, on balance, permission could be withheld on this issue. Residents have raised concern about limited vegetation to the south of the site and the possibility for car headlights shining into their garden and the detrimental visual impact from the new buildings on higher ground backing onto their properties. However revised landscape plans indicate that additional planting is proposed in the gap between the existing vegetation and therefore it is considered that this issue has been suitably addressed. Residents to the north of the site have raised concerns about the potential use of the emergency vehicular access alongside their existing gardens. The applicants have indicated that this route will be used strictly in an emergency situation only and it is considered that a condition should be imposed to ensure that this is adhered to.

Summary

The site lies within an area of landscape setting as designated within the Local Plan however the context of the site's location situated to the north of existing residential development in Pinhoe and between two development sites under construction is a significant consideration. Given the Council's lack of deliverable housing sites to meet its 5 year housing supply it is unlikely that a refusal in principle could be sustained. In addition, whilst the scheme would achieve a provision of only 15% affordable housing, the applicant has submitted a viability report which states that the combination of zero carbon dwelling, a highway and educational contribution have resulted in the policy compliant level of 35% provision being unachievable.

The conclusions of the viability assessment have been accepted by the Council's independent viability assessor. The fundamental issue remains that the construction of zero carbon dwellings results in a reduction in affordable housing provision. However this is considered an acceptable compromise which will result in both additional dwellings to meet the 5 year housing supply and a housing product which meets the overall aims of the Council's commitment towards being carbon neutral. Accordingly it is considered that the application is acceptable.

RECOMMENDATION

Subject to the completion of a Section 106 Agreement in respect of affordable housing, a financial contribution towards highway (£130,000), educational contribution (£178,995) and

open space/children play facilities in the area to be agreed APPROVE subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of two years beginning with the date on which this permission is granted.

Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.

2. 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 15 January 2020 (dwg nos.) as modified by other conditions of this consent.

Reason: In order to ensure compliance with the approved drawings.

3. Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.

Reason: To ensure that the materials conform with the visual amenity requirements of the area.

4. No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

a) the site access point(s) of all vehicles to the site during the construction phase.

b) the parking of vehicles of site operatives and visitors.

c) the areas for loading and unloading plant and materials.

d) storage areas of plant and materials used in constructing the development.

e) the erection and maintenance of securing hoarding, if appropriate.

f) wheel washing facilities.

g) measures to control the emission of dust and dirt during construction.

h) no burning on site during construction or site preparation works.

i) measures to minimise noise nuisance to neighbours from plant and machinery.

j) construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

k) no driven piling without prior consent from the LPA.

The approved Statement shall be strictly adhered to throughout the construction period of the development.

Reason:- In the interests of the occupants of nearby buildings.

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

6. A detailed scheme for landscaping, including the planting of trees and/or shrubs (including the transplanting of a memorial tree), the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no unit shall be occupied until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

7. Any trees, shrubs and/or hedges on or around the site shall not be felled, lopped or removed without the prior written consent of the Local Planning Authority.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

8. In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

9. No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2005 - 'Trees in Relation to Construction'. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

Reason: To ensure the protection of the trees during the carrying out of the development.

10. Prior to occupation of the building hereby approved place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. 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 preservation and enhancement of biodiversity in the locality.

11. Prior to the construction of any culvert supporting a new highway, a detailed Approval In Principle for the footbridge shall be submitted and approved in writing by the Local Highway Authority (Devon County Council).

Reason: To ensure the integrity of adjacent structures and land

12. No part of the development hereby approved shall be brought into its intended use until the priority access on Pulling Road, including localised widening of Pulling Road and associated footways, as indicated on *Drawing No. 100 Rev E* have been provided to the site boundary in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority

Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108/110 of the NPPF and CP9 of the ECC Core Strategy.

13. No part of the development hereby approved shall be brought into its intended use until the footpath linking the site to Pinhoe Quarry have been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority

Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108/110 of the NPPF and CP9 of the ECC Core Strategy.

14. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement should include details of access arrangements and timings and management of arrivals and departures of vehicles. The approved Statement shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and public amenity

15. Prior to commencement of the development, details shall be submitted to the Local Planning Authority of secure cycle parking provision for the development. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details.

Reason: To ensure that adequate facilities are made available for cycle provision.

16. Prior to occupation of the development hereby permitted, a travel pack shall be provided informing all residents of walking and cycling routes and facilities, public transport facilities including bus stops, rail stations and timetables, car sharing schemes and car clubs, as appropriate, the form and content of which shall have previously been approved in writing by the Local Planning Authority.

Reason - To ensure that all occupants of the development are aware of the available sustainable travel options.

17. The north-east access to be used solely for emergency access and for no other purpose.

Reason: To safeguard the amenities of neighbouring occupants.

18. Pre-Commencement Condition: Before commencement of construction of the development hereby permitted, the applicant shall submit a technical report in the form of a predicated Energy Performance Certificate (EPC) and Predicated Energy Assessment (SAP) in line with Standard Assessment Procedure (SAP) 2012 which demonstrates a net zero carbon emissions. The measures necessary to achieve this shall thereafter be implemented on site and within 3 months of practical completion of any dwelling the developer will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.

Reason: In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15.

19. Pre-Commencement condition - No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems. No part of the development shall be occupied until the surface water management scheme serving that part of the development has been provided in accordance with the approved details and the drainage infrastructure shall be retained and maintained for the lifetime of the development.

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

20. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

INFORMATIVES

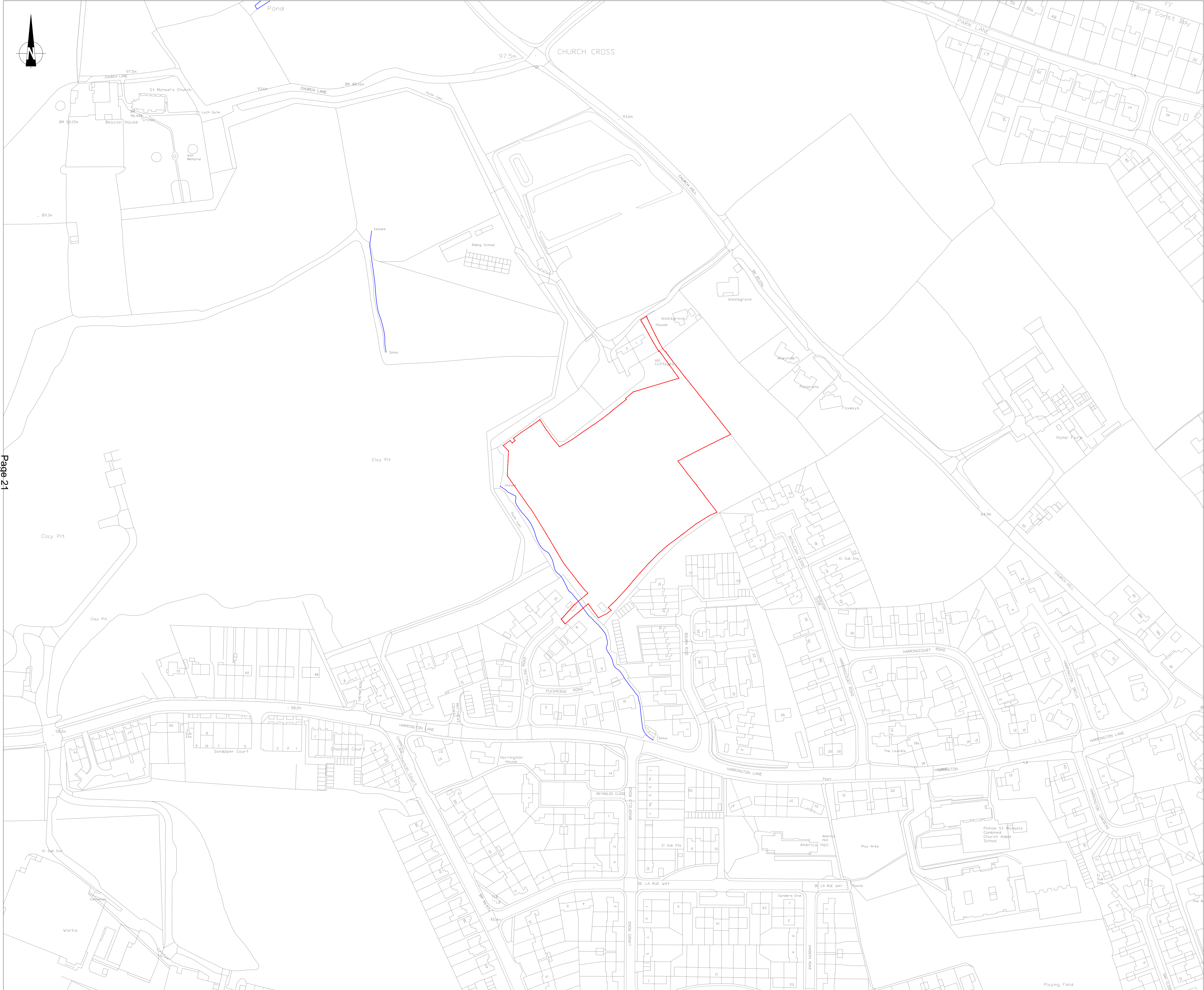
1. In accordance with paragraphs 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

2. A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.

3. The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. A Liability Notice is attached to this permission.

It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see www.exeter.gov.uk/cil.

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GENERAL NOTES

• This drawing is to be read in conjunction with all other relevant Architect's, Engineers & Specialist drawings, details and the relevant Health and Safety Plan (as appropriate).

• Do not scale from this drawing. Use figured dimensions only.

• Site centered approximately on Ordnance Survey National Grid reference 295860.000E, 94696.000N

KEY

- Planning application boundary
- Existing watercourse

B	23.05.2019	OS location added to General Notes	DR	WP
A	02.05.2019	Boundary amended	JPL	WP
-	02.11.2018	Issued for information	JL	WP
Rev	Date	Description	Drawn	Check



Ground Floor
3 Silverdown Office Park
Fair Oak Close
Clyst Honiton
Exeter, Devon
EX5 2UX

Drawing Status
PRELIMINARY

Scale @ A1
1:1250

Project
**Pulling Road,
Pinhoe**

Project No.
18030

Drawing
Site Location Plan

Drawing No.
001

Revision
B

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COMMITTEE DATE: 27 April 2020

<u>APPLICATION NO</u>	19/1767/FUL
<u>APPLICANT</u>	Mr and Mrs Wyn Davies
<u>LOCATION</u>	Quay Gardens, Monmouth Avenue, Topsham, Exeter.
<u>PROPOSAL</u>	Construction of a detached 2 bedroom house with an integral garage.
<u>REGISTRATION DATE</u>	17 December 2019
<u>RELATED DOCUMENTS</u>	http://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q2NXTAHBMXK00

HISTORY OF SITE

Quay Garden House was granted permission in 2000 (ref. 99/1019/LBC & 99/1018/FUL) for extensions, construction of dormers and internal alterations. Further internal alterations received permission under references 15/1292/LBC and 16/0455/LBC.

The summer house which currently occupies the site of the proposed dwelling, on the north east boundary, was permitted under application ref 11/0159/FUL.

In 2015, planning permission was granted on appeal for the separation of the barn annex from Quay Gardens to create two separate dwellings, with associated garden and parking (ref. 15/0377/FUL & 15/0378/LBC).

In 2019, permission was refused for the construction of a detached 3 bedroom house, with an integral garage, located within the northern half of the site (ref. 19/1102/FUL). The accommodation is proposed to be split over two storeys. Permission was refused as the proposal was considered to be visually incongruous and detrimental to the character of the area; as a result of its height, scale, massing and form result in an overbearing impact that would harm to the setting of the Grade II listed Quay Gardens and Quay Gardens Barn; and the design and scale of the proposed development would neither preserve or enhance the character and appearance of the Topsham Conservation Area.

DESCRIPTION OF SITE/PROPOSAL

The site comprises of two grade II listed properties located within the Topsham Conservation Area. The properties are situated within large well-landscaped grounds, and have a high degree of privacy.

The two dwellings, Quay Gardens and Quay Gardens Barn are located to the southwest corner of the site and are currently under the same ownership. The land to the north of the properties comprises a large garden serving the dwellings and a single storey art studio to the northwest boundary. To the northern boundary is a steep embankment which leads down onto Holman Way.

Quay Gardens is a two storey detached dwelling which retains its C17th façade.

Quay Gardens Barn is a C17th barn constructed of cob, brick and stone with slate roof. It is a separately listed Grade II Listed Building and was granted permission as a separate dwelling as a result of an upheld appeal, ref. 15/0377/FUL. A secondary point of access to Quay Gardens is gained via a pedestrian right of way across the garden of the neighbouring property No.4 Amity Place.

This application seeks permission for the construction of a detached two bedroom property. The main living areas of the property are contained within a two storey section, with two ensuite bedrooms on the ground floor and an open plan living space at the first floor with balcony to the southwest elevation and a sedum roof. Attached to the property is a single storey double garage with mono pitched roof. The property is proposed to be finished in a mix of timber cladding, stone and brick, with a section of vertical planting on the southeast elevation. The property will also feature large sections of glazing to the southwest elevation. To the south west of the property is a private amenity space for this property, bounded by a new hedge.

The property will utilise the existing access lane from Monmouth Avenue, which the site has right of access over.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Design and access statement
- Archaeology and Heritage statement
- Arboricultural statement (including tree protection plan)
 - The first assessment was superseded, with a revised assessment to include the retention of trees to the northern boundary of the site.

REPRESENTATIONS

1 letter of support. The letter of support considered that the proposal was suitable for the site and was considered to enhance the area.

1 letter of representation. The letter of representation considered that building on this land is not appropriate and should be retained for use for growing crops. It was noted that there was disagreement with the historical impact assessment with regards the impact on the historic buildings.

12 letter of objection, including the Topsham Society. The comments raised in the objections are summarised below -:

- Detrimental impact on the wider conservation area;
- Proposal does not address the detrimental impact on the heritage assets;
- Due to the elevated position next to Holman Way, the dwelling would be a dominant feature within the conservation area;
- Inappropriate access;
- Detrimental impact of increased traffic;
- Proximity of property to eastern boundary and loss of laurel hedge;
- Felling of mature trees;
- Impact during construction;

- Impact of the repositioning of the summer house;
- Design out of keeping with the properties within the area;
- Overdevelopment of the site.

CONSULTATIONS

The Highways (Devon County Council) officer raises no objection in principle and the development could proceed in accordance with the County's standing advice.

The Environmental Health (Exeter City Council) officer has recommended a condition regarding the construction and demolition hours in the interest of residential amenity. An informative was also requested regarding controlling emissions and health impacts from wood burners.

PLANNING POLICIES/POLICY GUIDANCE

National Planning Policy Framework (2019)

- 12. Achieving well designed places
- 16. Conserving and enhancing the historic environment

Section 72 of Planning (Listed Building and Conservation Area) 1990

Exeter Local Development Framework Core Strategy (2012)

Objective 8

'Protect and enhance the city's unique historic character and townscape, its archaeological heritage, its natural setting that is provided by valley parks and the hills to the north and west, and its biodiversity and geological assets'

Objective 9

'Create and reinforce local distinctiveness and raise the quality of urban living through excellence in design.'

CP17 Design and local distinctiveness

Exeter Local Plan First Review 1995-2011

- AP1 Design and location of development
 - AP2 Sequential approach
 - H1 Housing land search sequence
 - H2 Housing location priorities
 - T1 Hierarchy of modes of transport
 - T2 Accessibility criteria
 - T3 Encouraging sustainable use of transport
 - T10 Car parking standards
 - C1 Conservation areas
 - C5 Archaeology
 - C2 Listed buildings
 - DG1 Objectives of urban design
- 'Development should:*

(f) be of a height which is appropriate to the surrounding townscape and ensure that the height of constituent parts of buildings relate well to adjoining buildings, spaces and to human scale;

(g) ensure that the volume and shape (the massing) of structures relates well to the character and appearance of the adjoining buildings and the surrounding townscape;

(h) ensure that all designs promote local distinctiveness and contribute positively to the visual richness and amenity of the townscape.'

DG2 Energy conservation

DG4 Residential layout and amenity

Exeter City Council Development Delivery DPD (Publication Version) 2015

This document represents a material consideration but has not been adopted and does not form part of the management plan

DD13 Residential amenity

DD20 Sustainable movement

DD21 Parking

DD25 Design principles

DD28 Heritage assets

Exeter City Council Supplementary Planning Document

Residential Design Guide SPD 2010

Conservation area appraisal management plans

Topsham 2009

OBSERVATIONS

As with the previous application for the site (19/1102/FUL), the principal issues regarding this application are; the principle of development; scale and massing; impact on the setting of the heritage assets; access and trees.

Principle of development

In accordance with Objectives 8 and 9, Policy CP17 of the Core Strategy and Policies AP1 and H1 of the Exeter Local Plan First Review, development should be designed and located to raise the quality of the urban and natural environment, with housing development located towards previously developed land, conversion and infill within the urban area. Residential development should be at the highest achievable density without detriment to local amenity, the quality of the local environment and the safety of local roads.

In line with these policies, the introduction of an additional dwelling at this site is considered potentially acceptable. Infill development represents an important contribution to housing supply within the city. Due to the property's location, the scale, design and the impact on both the setting of the listed buildings and the Topsham Conservation Area, require specific assessment.

Scale, massing and impact on heritage assets

Local Planning Authorities have a duty within Section 72 of Planning (Listed Building and Conservation Area) 1990 which requires special attention to the desirability of preserving or enhancing the character or appearance of listed buildings and conservation areas. Furthermore, in line with the NPPF (specifically paras. 193-196), it must be assessed whether the proposal will cause harm to the heritage asset, including its setting and the ability to appreciate the significance of that asset, and whether that harm would be significantly offset by any public benefit accruing from the proposal. Whilst the location of the proposed dwelling is such that it is not particularly visible from the public highway, the lack of external public views into the development site and into the private garden of Quay Gardens, is not a factor when assessing the setting of a listed building and the degree of harm, and acceptability thereof, that a development would cause. The design of the proposed development therefore needs careful consideration.

The introduction of contemporary architectural solutions rather than copies of the historic form is encouraged, and creates a clear contrast between the old and new rather than pastiche designs. Design should have clear sensitivity to its context, which in this case includes the impact on the setting of the listed buildings and the Topsham Conservation Area.

The existing layout of the site, with the main house to the southwest boundary, the barn beyond to the west boundary and the open spacious garden to the north is such that the main house remains the dominant feature within the site. Furthermore, the main house holds a prominent position in relation to the access lane and as such these are important to the setting of the listed house and barn. Additional development, in the form of the summer house, has been introduced to the site without harm to the setting. It is considered that this is a result of the clear subservience of the building, as a result of its single storey form, the introduction of softer materials through the wood and the set back from the entrance. Following the site visit, it was concluded that the proposed footprint for the dwelling was of an acceptable size in relation to the plot. In the previous application it was argued that the massing of the two storey dwelling and flat roof was visually incongruous and had an overbearing appearance on the main dwelling.

To address this impact this application has removed the two storey section of the build over the garage, keeping this to a single storey level. It is considered that this alteration significantly reduces the massing of the proposed dwelling and reduces the competition and overbearing impact on the main dwelling, allowing Quay Gardens to remain the dominant feature within the site.

In addition the second storey section over the garage was considered to have an overbearing impact on the adjoining property, Oxford Orchards, by reducing this section to a single storey, this impact is ameliorated.

The introduction of planting to the two storey section of the south east elevation, is considered to soften the appearance of this elevation and appropriate to the setting. As a result of these changes it is considered that the impact on the setting of the listed building, particularly the overbearing impact on entrance to the site has been significantly reduced.

Concern has been raised regarding the height of the proposed dwelling in relation to the wider conservation area, particularly the historic quay area as a result of its elevated position. It is considered that as a result of the vegetation screening, the existing buildings and the distance

between the proposed dwelling and the historic quay, views of the proposed dwelling from this position would be limited and therefore the level of harm would be limited.

It is considered the modifications made to the proposed dwelling following the previous refusal (19/1102/FUL) regarding the scale and massing in relation to the heritage assets has been addressed within this application and therefore is compliant with Objective 8, Policy CP17 of the Core Strategy, Policies C1 and C2 of the Exeter Plan and Policy DD28 of the Development Delivery DPD.

It is considered that there is the potential for buried remains at the site, as noted in the applicant's heritage statement. This is due to the favourable topographic location of this site (on SW facing level land overlooking the estuary) for prehistoric and later remains, and that it is located directly to the rear of the main medieval and later quay area of Topsham, within the same property as two buildings of 17C origin. To mitigate any potential impacts, a condition is recommended to secure a programme of archaeological work.

Trees and landscaping

The Topsham Conservation Area Appraisal raises a number of issues that are considered to negatively impact the conservation area, which includes the retention and care of mature trees. Development should be designed to ensure trees flourish and mature, with development arranged to a good spatial relationship between trees and development, to allow trees and planting to be retained. This application initially proposed to remove two trees on the northern boundary to facilitate this development, the removal of a tree within the centre of the site and two apple trees to the southwest corner of the site.

Following discussion with the Council's Arboricultural Officer, a revised arboricultural assessment and tree protection plan were submitted to ensure that the two trees on the northern boundary were retained. In addition the tree to be removed in the centre of the site (T3) will be replaced by appropriate native trees. With regards the remaining trees to be removed (two apple trees and one cryptomeria), although it is preferable where possible to retain and protect trees of good arboricultural and amenity value, where the value is lower the council supports the planting of native trees, as proposed as part of this application. A condition will be applied to any consent granted to ensure compliance with the arboricultural assessment and the provision of a detailed landscaping scheme will be conditioned to ensure the trees are replaced with appropriate species.

The initial scheme proposed the installation of a standard timber fence to create the boundary for the new dwelling. It was considered that this was a relatively harsh boundary treatment for its setting, it was negotiated for this to be replaced with a softer boundary in the form of a new hedge line, more appropriate to its setting. In addition the laurel hedge, currently present on the eastern boundary is also considered an important element of soft landscaping and it has therefore been negotiated that this be retained. This laurel hedge is considered important screening to the site, and the loss of this hedge was of concern to an objector. To ensure appropriate landscaping and the retention of the soft landscaping on the eastern boundary, any consent granted will require the submission of a detailed landscaping scheme, including a planting scheme.

Materials

In line with Policy DG1 (i) of the Local Plan, developers are encouraged to use materials which are traditionally used within the area in conjunction with glass, timber and steel to create contemporary solutions appropriate to its setting. It is considered that the proposed mix of materials, including timber cladding, stone and brick is acceptable for its setting. A condition could be attached to any consent granted to ensure a high quality finish and the maintenance of the planting on the southeast elevation.

Access

Objectors, as with the previous application (19/1102/FUL) have raised concerns regarding the increased pressure on the access lane as a result of the additional dwelling. The applicant has confirmed right of access along the private lane off Monmouth Avenue. In line with Devon County Council's standing advice for determination of planning applications, the existing private access drive achieves the minimum width of 3 metres and is widened at the bends as appropriate. As the access lane exceeds 25 metres in length (approximately 98.4 metres), it is considered that there is adequate provision for passing places within the lane. There is also sufficient space within the site to for the turning of vehicles.

Although the visibility of the existing entrance/exit point onto Monmouth Avenue, as an existing arrangement it is not considered that this constitutes a reason for refusal. The secondary pedestrian access via the right of way over the garden of 4 Amity Place is proposed to be retained for the use of the occupiers of Quay Gardens Barn as per the existing arrangement and will not be opened up for use for Quay Gardens or the new dwelling.

Overlooking and loss of privacy to adjoining properties

A minimum distance of 22 metres is recommended to prevent overlooking and feelings of being hemmed in. The properties to the west are located approximately 24 metres from the proposed dwelling and the distance to the garden boundary to the north is approximately 27 metres, and is therefore considered compliant with Policy DG4 of the Local Plan. The distance to neighbouring properties is also such that it loss of light and shadowing would not be a significant issue.

Habitats Mitigation

This development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature and scale of the development it has been concluded that an AA is required. This AA has been carried out, and concludes that the development could have an impact, primarily arising from the recreational activity of future occupants of the development. If approved, this impact must be mitigated in line with the South-east Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council, which is being funded through a proportion of the CIL collected in respect of the development being allocated to funding the mitigation strategy.

Conclusion

The principle of development, within an established residential area, is considered to be acceptable. It is considered that in comparison to the previously refused application (19/1102/FUL) there has been a significant reduction in the scale and massing of the proposed

development to reduce the impact of the proposed development on the setting of the Grade II listed Quay Gardens and Quay Gardens Barn. In addition there has been effective engagement to ensure the protection of the mature trees, important to the conservation area and to achieve greater soft landscaping. As such the proposal is considered to be compliant with to Objectives 8 and 9 and Policy CP17 of the Exeter Local Development Framework Core Strategy and Policies C1, C2, DG1 (f), (g), (h) of the Exeter Local Plan First Review and Policies DD25, DD28 of the Development Delivery DPD. Officer recommendation is therefore for approval.

DELEGATION BRIEFING – 7 APRIL 2020

Members were presented with the application, the application site is located within the Topsham Conservation Area and within the curtilage of the listed buildings, Quay Garden and Quay Gardens Barn. Quay Gardens Barn was granted permission on appeal for use as a separate dwelling. In 2019, permission was refused for a detached 3 bedroom house with integrated garage. Permission was refused due to its incongruous impact on the listed buildings as a result of its scale massing and form.

It was confirmed that 12 letters of objection, 1 letter of support and 1 letter of representation had been received. Objectors raised concerns regarding the impact to the listed building, the impact on the conservation area, inappropriate design and the over development at the location. As well as the loss of mature trees and inappropriate access.

This application has removed the two storey section of the build over the garage which featured in the previous application, keeping this to a single storey level. It is considered that this alteration significantly reduces the massing of the proposed dwelling and reduces the competition and overbearing impact on the main dwelling, allowing Quay Gardens to remain the dominant feature within the site. The property occupies the same footprint as the previously refused application.

It was confirmed that the removal of the trees adjoining Holman Way had been revised and would now be retained. The application had also been revised to alter the property boundary from a timber fence to a hedge, the introduction of planting to the south east elevation wall and retention of the laurel hedge on the eastern boundary. The officer considered the application to be much improved and recommended approval with conditions.

Members commented on the application and considered taking the application to the Planning Committee for more input from Members. Members decided to refer the application to the Planning Committee.

RECOMMENDATION

APPROVE with conditions

CONDITIONS

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 17 December 2019 (including dwg. nos. 19/003/31 Rev A; 19/003/32 Rev A; 19/003/33 Rev A; 19/003/35 Rev A; 19/003/36 Rev A received on 05 March 2020; 19/003/34 Rev B Received on 01 April 2020; 19/003/30 Rev B Received on 08 April 2020) as modified by other conditions of this consent.

Reason: In order to ensure compliance with the approved drawings.

3) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8 am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

4) Samples of the materials it is intended to use externally in the construction of the development (including the natural stone cladding; cedar cladding; bricks and roof membrane) shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.

Reason: To ensure that the materials conform with the visual amenity requirements of the area.

5) Pre-commencement condition: No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

Reason for pre-commencement condition - To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

6) A detailed scheme for landscaping, including the planting of trees and or shrubs, the planting to the southeast elevation, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no dwelling or building shall be occupied until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme. Any trees or plants which within a period of 5 years from the completion of

the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

7) Pre commencement condition: No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason for pre commencement condition: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process

INFORMATIVES

1) In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

2) In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Areas (SPA), the Exe Estuary and East Devon Pebblebed Heaths, which are designated European sites. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with recreational activity of future occupants of the development. This impact will be mitigated in line with the South East Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the Community Infrastructure Levy (CIL) collected in respect of the development being allocated to fund the mitigation strategy. Or, if the development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism (this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).

3) Advice on controlling the emissions from and health impacts of wood burning is available from https://uk-air.defra.gov.uk/assets/documents/reports/cat09/1901291307_Ready_to_Burn_Web.pdf. It is recommended that all new stoves meet the EcoDesign Ready standard. In addition, careful design of the flue may be required in order to prevent the appliance causing a nuisance by fume or odours. For further advice, please contact the Environmental Protection Unit on 01392 265148.

4) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Accordingly your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website.

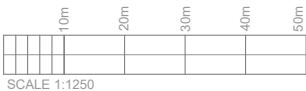
It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see www.exeter.gov.uk/cil.

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site location plan 1:1250



Status	Planning
Scale	1:1250 @A4
Date	Mar 2019
Drawn	JJ

Drawing	Site Location Plan
Drwg No	19003.SLP
Rev	.

Project	Quay gardens, Topsham, Exeter
Page	35

armada house
odhams wharf
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EX3 OPB
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COMMITTEE DATE: 27 April 2020

<u>APPLICATION NO</u>	20/0013/FUL
<u>APPLICANT</u>	Mr Michael O'Sullivan
<u>LOCATION</u>	37 Argyll Road, Exeter, EX4 4RX
<u>PROPOSAL</u>	Change of use from 6 person HMO (C4) to 7 person HMO (Sui Generis) and single storey rear extension
<u>REGISTRATION DATE</u>	6 January 2020
<u>RELATED DOCUMENTS</u>	http://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q3QQIRHB01A00

HISTORY OF SITE

The application address has no, relevant planning history.

DESCRIPTION OF SITE/PROPOSAL

The application address is a detached dwelling located on Argyll Road, north west of Pennsylvania Road and within the Duryard and St James ward. The property's existing use is as a 6-person HMO (Use Class C4) with student tenants.

The proposal comprises of two key elements including a change of use from a 6-person HMO (Use Class C4) to a 7 person HMO (Use Class Sui Generis) and a single-storey rear extension. The change of use would require internal alterations in providing an additional bedroom, which would be achieved through the sub-division of an existing bedroom into 2 bedrooms (bedrooms 3 and 4). The proposed bedrooms would be located on the first floor of the property, and have total floor spaces of 9.8m² (bedroom 3) and 7.4m² (bedroom 4). The proposed rear extension would be 5m in depth and 6.55m in width, with an external finish of render to match and is to increase the living space for occupants.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Supporting Statement
Management Statement

REPRESENTATIONS

2 objections were received. Principal issues raised as follows:-

1. The application would result in a disproportionate number of multi-occupancy dwellings.
2. An additional occupant would negatively impact the amenity of the area, both visually and through noise/anti-social behaviour.
3. The septic tank/drainage at the address is designed for a 4 person household.
4. Additional occupants may result in more on-street parking causing further issues to movement for residents, deliveries and emergency services.
5. Parking issues with refuse lorry already unable to reach no.37 due to congestion on the road.
6. The proposal will have a negative impact on the Duryard valley park including to wildlife through noise, lighting and waste.

CONSULTATIONS

Environmental Health raise no objection:

The address has no record of noise or anti-social behaviour complaints.

Environmental Health (Licensing) raise no objection:

The proposed layout was agreed by licensing who are happy with the internal arrangement. Confirmed that the additional bedroom/occupant would be acceptable by keeping the existing, ground floor layout and sub-dividing the upstairs bedroom without the inclusion of the extension.

South West Water:

Made no comments on the application in regard to drainage.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework (February 2019)

- 2. Achieving sustainable development
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places

Technical housing standards - nationally described minimum space standard (2015)

Exeter Local Development Framework Core Strategy (Adopted 21 February 2012)

- CP4 Housing density
- CP5 Meeting housing needs
- CP17 Design and local distinctiveness

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)

- H5 Diversity of housing
- T1 Hierarchy of modes of transport
- T3 Encouraging use of sustainable modes of transport
- LS1 Landscape setting
- DG1 Objectives of urban design
- DG4 Residential layout and amenity

Development Delivery Development Plan Document (Publication Version 2015)

- DD1 Sustainable Development
- DD10 Loss of Residential Accommodation
- DD11 Residential Conversions and HMOs
- DD13 Residential Amenity
- DD20 Sustainable Movement
- DD21 Parking
- DD29 Landscape Setting Areas

Exeter City Council Supplementary Planning Documents

Houses in Multiple Occupation (Including Class C4 Uses) – 2014
Householders Guide to Extension Design (2008)

OBSERVATIONS

The application address is located within the Duryard and St James ward of Exeter, which has a higher proportion of student accommodation to other areas of the City. The proposal site is not within the area of this ward which is subject to an article 4 direction and therefore, the law requires planning decisions for a change of use to be made in accordance with development plan policies (HMO SPD).

The relevant policies for consideration in regard to a change of use from a 6 person HMO (Use Class C4) to a 7 person HMO (Use Class Sui Generis) are CP4 and CP5 of the Core Strategy, H5 of the Local Plan and DD10 and DD11 of the Development Plan Document. In summary, these policies state that conversion to HMOs will be permitted providing the change of use would not result in an over concentration of the use in any one area and the proposal would not result in unacceptable harm to the amenity of neighbouring residents.

Both objections from neighbours raised concern that the proposal would result in an overconcentration of HMOs on Argyll Road with one objector stating that, including no.37, there are 6 HMO properties on the street. With approximately 74 properties on Argyll Road, 6 HMOs would total around 8% of overall housing on the street. As no.37 is already under a C4 use, the overall balance between residential properties and HMOs on Argyll Road would remain unchanged as a result of the proposal. Argyll Road has also not been included in the area under Article 4 direction as it is not considered a road that is at risk from an imbalance of HMOs.

The two objections also raised issues of neighbour amenity including being disturbed by noise at night. Whilst individual instances are unfortunate, there is no record of anti-social behaviour or noise complaints at the address (to either Planning or Environmental Health) and neither adjoining neighbour has commented on the proposal. Weight should also be given to the fact the property currently has 6 occupants and that an additional occupant is unlikely to increase the scale or intensity of the existing usage to a degree which would lead to an unacceptable reduction in neighbouring amenity. Neighbouring amenity is also protected under a clause in the tenancy agreement which is set out in the Management Statement and requires tenants to 'not do anything to or on the property that: causes a nuisance or annoyance to occupiers of adjoining or neighbouring properties'.

Neighbour objections also raised concern over on-street parking. The property currently has sufficient parking space for 4 cars and as the tenants are students and the property is within relatively close proximity of the campus with reasonable sustainable transport links, not each occupant is reported to have a car. To support this, the applicant has submitted a revised block plan which demonstrates parking at the property. To ensure that issues regarding on-street parking do not arise as a result of an additional occupant, the applicant has specified in the Management Statement that only 3 occupants will be allowed to bring a car as part of their tenancy agreement. This will come into place as a result of the change of use as currently, the tenants have no such restriction. Details of secure cycle storage (a lockable garage), with space for approximately 8 bikes, has also been included on the revised Block Plan.

In terms of amenity for occupants, Environmental Health (Licensing) were consulted over the proposed layout and were happy with the arrangement. The property, without the proposed

extension, exceeds nationally described minimum space standards for the proposed number of occupants and therefore, the extension is of additional benefit to tenants and not being constructed out of necessity for space. To ensure future occupants benefit from this extension, its construction will be ensured through condition and will be required to be built prior to implementing the change of use.

The extension itself does exceed the recommended depth set out in the Householder guide SPD but largely complies with the rest of the guidance. Considering the size of the plot, the original dwelling and the garden space that would be retained, an extension of this size is considered acceptable. Whilst a flat roof design is considered to be uninspired, it would unlikely cause harm to the appearance of the dwelling or the character of the townscape and therefore would not warrant refusal. The external finish of the proposal would be render to match which is supported.

The proposed rear extension would have an overall height of 4m as a result of the sloping garden. However, as it will be built on a brick plinth, its height from ground level will be closer to 2.8m. The extension sits closest to the adjoining boundary shared with no.39 but would be set away by over 2m and screened by an established, dividing hedge. As well as this separation, the elevation which faces onto the neighbouring boundary would only have high level windows to reduce privacy issues. As a result, the proposal is considered to comply with policy which makes reference to design, amenity and layout, specifically policies DG1 and DG4.

One objection makes reference to the dwelling being located in relatively close proximity to the valley park and note concern that development may have a negative impact on wildlife. As the proposal is for a householder extension and is a significant distance from the local designation, it is considered to be of minimal risk of causing harm and therefore compliant with policies LS1 and DD29.

An objection also noted that proposal address has a septic tank designed for a 4 person home and that there is concern the drains are not sufficient for this increase in occupants. South West Water made no comment on the application in regard to drainage and if the septic tank is of inadequate size/function and creates problems, this is better addressed through legislation outside the remit of planning control.

Reference was made to other, purpose-built student accommodation in the ward and surrounding area. Whilst noted, this is not of direct relevance to this application and can only be afforded minimal weight in determining whether a change of use at the property is acceptable.

In summary, it is considered the proposal would not create an imbalanced community outweighed by HMOs or that the addition of 1 occupant would be of significant harm to neighbouring properties either through noise, parking or any other factor. The internal layout and quality of life for occupants is considered acceptable by licensing standards and the extension is deemed acceptable when assessed against design policy. Accordingly it is recommended the planning application is approved subject to the conditions set out below.

DELEGATION BRIEFING

07 April 2020 – Members raised concern over the concentration of student accommodation in the area and referred to a comment from the University of Exeter Student Liaison Officer who stated that larger HMOs tended to be more problematic to manage since they were more likely to attract occupants from multiple groups rather than a single friendship group and would fail to take responsibility for refuse collection. Other Members had also commented by email objecting to the application referring to evidence from the University, which stated there was a relationship between anti-social behaviour and the size of HMO's. Also, with ordinary houses increasing in size to fit extra students, the chance of properties ever being changed back into use by ordinary families was reduced with the number of students in Duryard & St James already being excessive.

RECOMMENDATION

APPROVE with the following conditions:

Planning application 20/0013/FUL

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the approved details received by the Local Planning Authority on 14 April 2020 (including dwgs. *REVISED Block Plan, REVISED Ground Floor Layout and REVISED First Floor Layout*) and 15 April 2020 (*Management Statement*).

Reason: In order to ensure compliance with the approved drawings and in adherence with policies CP4, CP5, DG1, DG4 and H5.

3) Prior to occupation of the House in Multiple Occupation hereby approved, the extension shall be constructed and completed in accordance with the approved details.

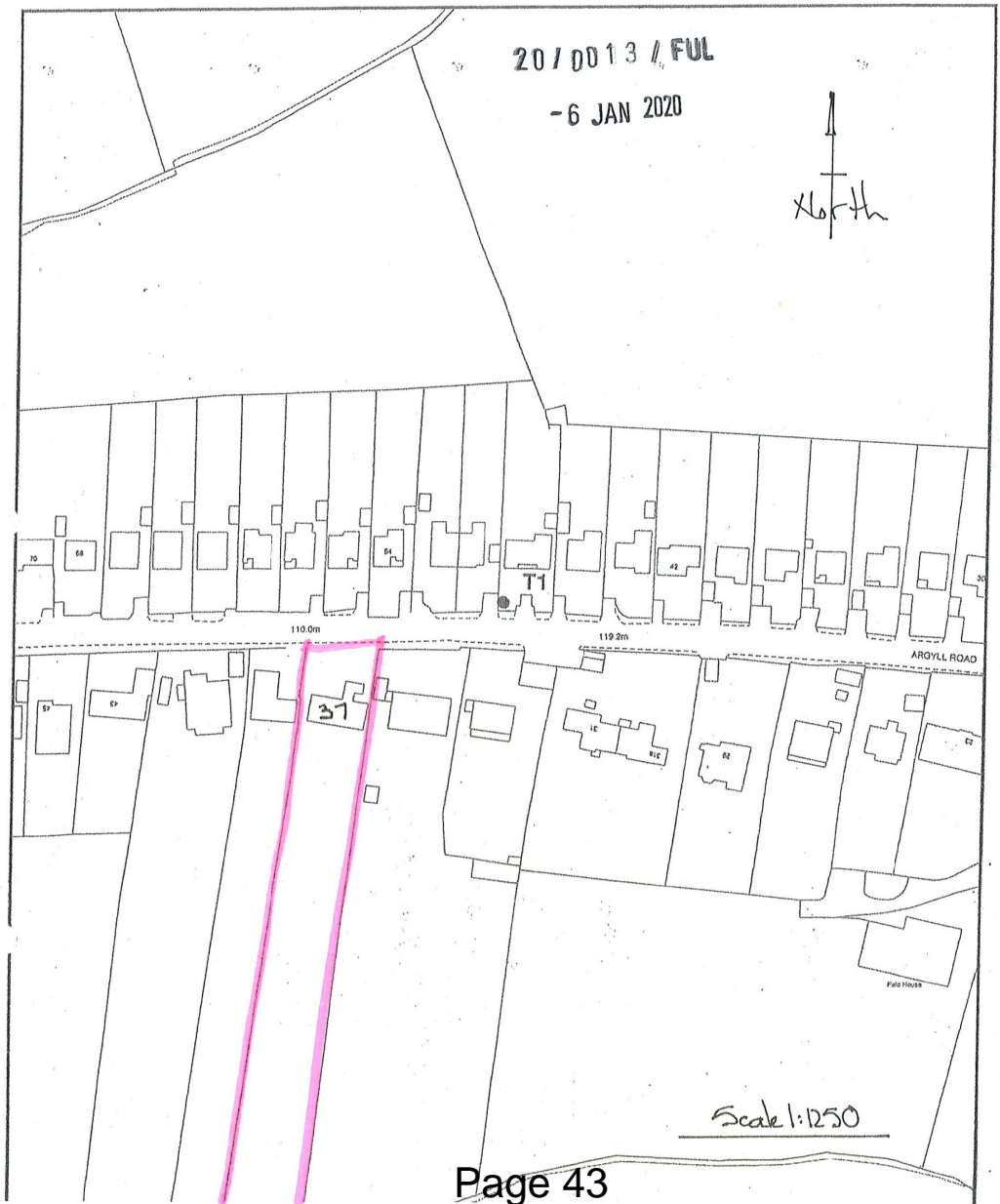
Reason: To ensure the future occupiers have an appropriately sized living space and a good quality of residential amenity in compliance with policies with CP4, H5 and DG4.

4) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8 am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

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Location Plan of 37 Argyll Rd, Exeter



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REPORT TO: PLANNING COMMITTEE**Date of Meeting: 27 April 2020****Report of: Director****Title: Delegated Decisions****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 Planning Committee meeting.
- 2.2 Members are asked to note the report.

3 PLANNING APPLICATION CODES

- 3.1 The latter part of the application reference number indicates the type of application:

OUT	Outline Planning Permission
RES	Approval of Reserved Matters
FUL	Full Planning Permission
TPO	Works to Tree(s) with Preservation Order
ADV	Advertisement Consent
CAT	Works to Tree(s) in Conservation Area
LBC	Listed Building Consent
ECC	Exeter City Council Regulation 3
LED	Lawfulness of Existing Use/Development
LPD	Certificate of Proposed Use/Development
TEL	Telecommunication Apparatus Determination
CMA	County Matter Application
CTY	Devon County Council Application
MDO	Modification and Discharge of Planning Obligation Regulations
NMA	Non Material Amendment
EXT	Extension to Extant Planning Consent
PD	Extension - Prior Approval
PDJ	Office to Dwelling - Prior Approval

- 3.2 The decision type uses the following codes:

DREF	Deemed Refusal
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

Bindu Arjoon
Director

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**All Planning Decisions Made and Withdrawn Applications
between 05/03/2020 and 16/04/2020**

Alphington			
Delegated Decision			
Application Number:	19/1691/FUL	Delegation Briefing:	19/12/2019
Decision Type:	Permitted	Date:	13/03/2020
Location Address:	10 Myrtle Close Exeter Devon EX2 8UX		
Proposal:	Side extension with rear dormer and new rear decking		
Delegated Decision			
Application Number:	20/0189/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	07/04/2020
Location Address:	3 Cordery Road Exeter Devon EX2 9DH		
Proposal:	Single storey rear extension.		
Delegated Decision			
Application Number:	20/0190/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	31/03/2020
Location Address:	28 Blenheim Road Exeter Devon EX2 8SE		
Proposal:	Single storey rear extension measuring 4m (depth) x 3.5m (max. height) x 2.5m (eaves height).		
Delegated Decision			
Application Number:	20/0192/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	18/03/2020
Location Address:	70 Blenheim Road Exeter Devon EX2 8SE		
Proposal:	Single storey rear extension measuring 4m (depth) x 3.7m (max. height) x 2.7m (eaves height).		
Duryard And St James			
Delegated Decision			
Application Number:	19/1616/FUL	Delegation Briefing:	19/12/2019
Decision Type:	Permitted	Date:	15/04/2020
Location Address:	Streatham Court Rennes Drive Exeter Devon EX4 4PU		
Proposal:	New makerspace building within the courtyard of Streatham Court at University of Exeter's Business School		
Delegated Decision			
Application Number:	20/0022/FUL	Delegation Briefing:	30/01/2020
Decision Type:	Permitted	Date:	09/03/2020
Location Address:	Bank To Front Of Innovation Centre On Streatham Campus Rennes Drive Exeter Devon EX4 4RN		
Proposal:	Single-storey building for educational purposes including lift/staircase link to main building.		

Delegated Decision			
Application Number:	20/0071/FUL	Delegation Briefing:	13/02/2020
Decision Type:	Permitted	Date:	08/04/2020
Location Address:	2 Elm Grove Road St James Exeter Devon EX4 4LL		
Proposal:	Replacement single storey rear extension.		
Delegated Decision			
Application Number:	20/0072/LBC	Delegation Briefing:	13/02/2020
Decision Type:	Permitted	Date:	08/04/2020
Location Address:	2 Elm Grove Road St James Exeter Devon EX4 4LL		
Proposal:	Replacement single storey rear extension		
Delegated Decision			
Application Number:	20/0176/FUL	Delegation Briefing:	05/03/2020
Decision Type:	Permitted	Date:	14/04/2020
Location Address:	3 Belvidere Road Exeter Devon EX4 4RU		
Proposal:	Single storey side extension with roof terrace over and associated works.		
Delegated Decision			
Application Number:	20/0187/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	16 St Sidwells Avenue Exeter Devon EX4 6QW		
Proposal:	Removal of conservatory and single-skin brick extension to create a new kitchen/diner extension with glazed roof.		
Delegated Decision			
Application Number:	20/0232/FUL	Delegation Briefing:	19/03/2020
Decision Type:	Permitted	Date:	14/04/2020
Location Address:	16 Lower Argyll Road Exeter Devon EX4 4QY		
Proposal:	Alterations to front of house; single storey rear extension.		
Delegated Decision			
Application Number:	20/0234/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	25/03/2020
Location Address:	5 Union Road Exeter Devon EX4 6HY		
Proposal:	Certificate of Lawfulness for a house of multiple occupation (HMO) to increase from six to seven residents (Class C4 to Sui Generis)		
Delegated Decision			
Application Number:	20/0290/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	11/03/2020
Location Address:	10 Curlew Way Exeter Devon EX4 4SW		
Proposal:	Monterey Pine limb removal.		

Exwick

Delegated Decision

Application Number: 20/0110/FUL Delegation Briefing: 13/02/2020
Decision Type: Permitted Date: 16/03/2020
Location Address: 1 Pine Avenue Exeter Devon EX4 2DU
Proposal: Two storey side extension (retrospective)

Heavitree

Delegated Decision

Application Number: 20/0024/FUL Delegation Briefing: 13/02/2020
Decision Type: Permitted Date: 30/03/2020
Location Address: 25 Nicholas Road Exeter Devon EX1 3AT
Proposal: Reconfigure roof and raise ridge height by 0.6m, porch and single storey rear extension plus various alterations to exterior material finishes.

Delegated Decision

Application Number: 20/0048/FUL Delegation Briefing:
Decision Type: Withdrawn by Applicant Date: 30/03/2020
Location Address: 45-47 Fore Street Heavitree Exeter Devon EX1 2QN
Proposal: Replacement fascia sign and window display.

Delegated Decision

Application Number: 20/0074/LBC Delegation Briefing: 13/02/2020
Decision Type: Permitted Date: 25/03/2020
Location Address: 4 Bicton Place Exeter Devon EX1 2PF
Proposal: Re-roofing existing main roof

Delegated Decision

Application Number: 20/0148/LPD Delegation Briefing:
Decision Type: Was lawful use Date: 31/03/2020
Location Address: 7 Hanover Road Exeter Devon EX1 2TB
Proposal: Loft conversion including dormer extension with rear window and no.2 front elevation rooflights.

Delegated Decision

Application Number: 20/0198/FUL Delegation Briefing: 12/03/2020
Decision Type: Permitted Date: 07/04/2020
Location Address: 6 Mont Le Grand Exeter Devon EX1 2PD
Proposal: Proposed internal alterations to basement, ground floor and first floor; Proposed enlarged door and window openings on rear elevation, with replacement doors and windows to match existing.

Delegated Decision			
Application Number:	20/0199/LBC	Delegation Briefing:	
Decision Type:	Permitted	Date:	07/04/2020
Location Address:	6 Mont Le Grand Exeter Devon EX1 2PD		
Proposal:	Proposed internal alterations to basement, ground floor and first floor; Proposed enlarged door and window openings on rear elevation, with replacement doors and windows to match existing.		
Delegated Decision			
Application Number:	20/0241/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	06/04/2020
Location Address:	74 Park Road Exeter Devon EX1 2HT		
Proposal:	Use of property as a House in Multiple Occupation (HMO) (Class C4)		
Delegated Decision			
Application Number:	20/0298/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	26/03/2020
Location Address:	15 Chard Road Exeter Devon EX1 3AY		
Proposal:	Single storey rear extension extending a maximum 5.4m from rear elevation, height to eaves 3m and max. overall height 3.7m.		
Delegated Decision			
Application Number:	20/0311/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	09/04/2020
Location Address:	40 Sweetbrier Lane Exeter Devon EX1 3AF		
Proposal:	Single storey rear extension extending a maximum 3.6m from rear elevation, height to eaves 2.6m and maximum overall height 2.8m.		
Mincinglake And Whipton			
Delegated Decision			
Application Number:	20/0043/FUL	Delegation Briefing:	20/02/2020
Decision Type:	Permitted	Date:	13/03/2020
Location Address:	1 Lancelot Place Lancelot Road Exeter Devon EX4 9BX		
Proposal:	Proposed raised deck to rear of property to provide amenity area for disabled person		
Delegated Decision			
Application Number:	20/0175/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Refuse Planning Permission	Date:	03/04/2020
Location Address:	73 Iolanthe Drive Exeter Devon EX4 9DZ		
Proposal:	Proposed internal space renovation, loft conversion into extra bedroom and ensuite. Proposed side/rear extension to provide dining space, accessible bedroom and bathroom, with additional storage.		

Delegated Decision			
Application Number:	20/0182/PD	Delegation Briefing:	
Decision Type:	Prior Approval Required and Granted	Date:	08/04/2020
Location Address:	21 Woolsey Avenue Exeter Devon EX4 8BJ		
Proposal:	Single storey rear extension measuring 4m (depth) x 3.3m (maximum height) x 2.25m (eaves height).		
Delegated Decision			
Application Number:	20/0216/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	10/03/2020
Location Address:	48 Bettys Mead Exeter Devon EX4 8LN		
Proposal:	Replacement single storey rear extension extending a maximum 4m from rear elevation, height to eaves 2.5m and max. overall height 3.7m.		
Delegated Decision			
Application Number:	20/0328/FUL	Delegation Briefing:	19/03/2020
Decision Type:	Permitted	Date:	14/04/2020
Location Address:	74 Brookside Crescent Exeter Devon EX4 8NE		
Proposal:	Single storey rear extension.		
Newtown And St Leonards			
Delegated Decision			
Application Number:	19/0093/FUL	Delegation Briefing:	30/05/2019
Decision Type:	Permitted	Date:	26/03/2020
Location Address:	147 Magdalen Road Exeter Devon EX2 4TT		
Proposal:	Installation of reinforcement steels and beams to existing floors stairs, reinstatement and/or replacement of decorative ceiling feature and new internal roof structures.		
Delegated Decision			
Application Number:	19/0094/LBC	Delegation Briefing:	30/05/2019
Decision Type:	Permitted	Date:	26/03/2020
Location Address:	147 Magdalen Road Exeter Devon EX2 4TT		
Proposal:	Installation of reinforcement steels and beams to existing floors stairs, reinstatement and/or replacement of decorative ceiling feature and new internal roof structures.		
Delegated Decision			
Application Number:	19/0129/FUL	Delegation Briefing:	07/03/2019
Decision Type:	Refuse Planning Permission	Date:	20/03/2020
Location Address:	6 Matford Lane Exeter Devon EX2 4PS		
Proposal:	Demolition of existing bungalow and garage and construction of two storey dwelling and attached garage.		

Committee Decision			
Application Number:	19/0733/FUL	Delegation Briefing:	02/01/2020
Decision Type:	Permitted	Date:	08/04/2020
Location Address:	7-9 And 10 Blackboy Road Exeter EX4 6SG		
Proposal:	Retention of the Sorry Head public house and demolition of the vehicle servicing centre for redevelopment with a four storey building comprising of a part ground floor retail unit (Class A1), purpose built student accommodation development (71 bedspaces) above and associated private amenity space, secure cycle storage, bin storage and landscaping.		
Delegated Decision			
Application Number:	19/1698/FUL	Delegation Briefing:	02/01/2020
Decision Type:	Permitted	Date:	18/03/2020
Location Address:	1 Grendon Road Exeter Devon EX1 2NJ		
Proposal:	Remodelling including internal alterations, demolition and rebuilding of rear extensions, new common room, and change of use from 24 to 22 almshouses		
Delegated Decision			
Application Number:	19/1699/LBC	Delegation Briefing:	02/01/2020
Decision Type:	Permitted	Date:	18/03/2020
Location Address:	1 Grendon Road Exeter Devon EX1 2NJ		
Proposal:	Remodelling including internal alterations, demolition and rebuilding of rear extensions, new common room, and change of use from 24 to 22 almshouses		
Delegated Decision			
Application Number:	19/1786/FUL	Delegation Briefing:	23/01/2020
Decision Type:	Permitted	Date:	26/03/2020
Location Address:	Dene End 43 Wonford Road Exeter Devon EX2 4UD		
Proposal:	Extension, replacement garage and other alterations.		
Delegated Decision			
Application Number:	20/0062/FUL	Delegation Briefing:	13/02/2020
Decision Type:	Refuse Planning Permission	Date:	25/03/2020
Location Address:	7 Portland Street Exeter Devon EX1 2EG		
Proposal:	Replacement of existing conservatory with single storey extension. Formation of 2nd storey and 3rd floor extension to rear of property.		
Delegated Decision			
Application Number:	20/0145/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	20/03/2020
Location Address:	17 Mount Pleasant Road Exeter Devon EX4 7AD		
Proposal:	Rear single storey extension.		

Delegated Decision			
Application Number:	20/0158/FUL	Delegation Briefing:	20/02/2020
Decision Type:	Permitted	Date:	01/04/2020
Location Address:	Loma-Loma 83 Heavitree Road Exeter Devon EX1 2ND		
Proposal:	Rebuilding of boundary wall, with partial increase in height.		
Delegated Decision			
Application Number:	20/0195/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	Waitrose 2 Gladstone Road Exeter Devon EX1 2EB		
Proposal:	Refurbish existing car park; reallocation of customer parking spaces for delivery vans, amended white lining and associated pedestrian route and reorientation of an external trolley shelter.		
Delegated Decision			
Application Number:	20/0240/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	09/03/2020
Location Address:	The Maynard School Denmark Road Exeter Devon EX1 1SJ		
Proposal:	Lombardy Poplar (T16) Pollard to crown break at around 2.5m above ground level Lombardy Poplar (T17) Pollard to crown break at around 2m above ground level Lombardy Poplar (T18) Pollard to crown break at around 3m above ground level		
Delegated Decision			
Application Number:	20/0271/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/03/2020
Location Address:	50 Blackboy Road Exeter Devon EX4 6TB		
Proposal:	Quince tree, Crown thinning and reduction.		
Delegated Decision			
Application Number:	20/0272/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/03/2020
Location Address:	51 Blackboy Road Exeter Devon EX4 6TB		
Proposal:	Sour Cherry Tree, Crown reduction.		
Delegated Decision			
Application Number:	20/0276/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/03/2020
Location Address:	1 Penleonard Close Exeter Devon EX2 4NY		
Proposal:	Prune to reduce height and spread by 50%.		

Delegated Decision			
Application Number:	20/0299/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	11/03/2020
Location Address:	15 Matford Avenue Exeter Devon EX2 4PW		
Proposal:	Pollard Lime 2 feet lower than current pollard points.		
Delegated Decision			
Application Number:	20/0358/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	17/03/2020
Location Address:	15 Barnfield Road Exeter Devon EX1 1RR		
Proposal:	1 no. post and panel hand-painted timber sign (to replace existing signage)		
Delegated Decision			
Application Number:	20/0359/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	06/04/2020
Location Address:	14 Leighdene Close Exeter Devon EX2 4PN		
Proposal:	Works to Mature Atlas Cedar to recover some light lost to recent growth.		
Pennsylvania			
Delegated Decision			
Application Number:	19/1518/FUL	Delegation Briefing:	05/03/2020
Decision Type:	Refuse Planning Permission	Date:	27/03/2020
Location Address:	30 Thompson Road Exeter Devon EX1 2UB		
Proposal:	Construction of new dormer to west elevation.		
Delegated Decision			
Application Number:	20/0102/FUL	Delegation Briefing:	13/02/2020
Decision Type:	Permitted	Date:	23/03/2020
Location Address:	23 Herbert Road Exeter Devon EX1 2UH		
Proposal:	Single/two storey rear extension.		
Delegated Decision			
Application Number:	20/0186/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	61 Sylvan Road Exeter Devon EX4 6EY		
Proposal:	Demolition of the existing extension along the East Facing Elevation to be replaced with a single storey extension to provide an open plan Kitchen/Dining/Living Room with Utility Space.		

Delegated Decision			
Application Number:	20/0215/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	14/04/2020
Location Address:	1 Calthorpe Road Exeter Devon EX4 7JS		
Proposal:	New garage.		
Delegated Decision			
Application Number:	20/0318/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	12/03/2020
Location Address:	1 Monterey Gardens Exeter Devon EX4 5EN		
Proposal:	T1, Monterey pine. Remove upper and mid crowns. Reduce remaining trunk to 3-3.5m final height.		
Pinhoe			
Delegated Decision			
Application Number:	19/1788/FUL	Delegation Briefing:	05/03/2020
Decision Type:	Permitted	Date:	27/03/2020
Location Address:	21 Bindon Road Exeter Devon EX4 9HN		
Proposal:	Front dormer window.		
Delegated Decision			
Application Number:	20/0018/FUL	Delegation Briefing:	20/02/2020
Decision Type:	Refuse Planning Permission	Date:	17/03/2020
Location Address:	1 Venny Gardens Venny Bridge Exeter Devon EX4 8BH		
Proposal:	Roof alterations for loft conversion and Velux windows; conversion of garage to hallway and new front door arrangement.		
Delegated Decision			
Application Number:	20/0167/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	23 Causey Lane Exeter Devon EX1 3SH		
Proposal:	Removal of conservatory to side of property and replace with with timber clad, thermally efficient extension, constructed entirely in charred timber. Proposed extension to match the footprint and the roof profile of the existing conservatory. The proposal also includes for new double-glazed thermally-broken aluminium windows.		
Delegated Decision			
Application Number:	20/0168/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	01/04/2020
Location Address:	23 Causey Lane Exeter Devon EX1 3SH		
Proposal:	Replacement of existing windows and rear garden door with new enlarged double-glazed thermally-broken slimline aluminium units; the insertion of 3no. new rooflights to the pitch of main house.		

Delegated Decision			
Application Number:	20/0310/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	30/03/2020
Location Address:	3 Harringcourt Road Exeter Devon EX4 8PQ		
Proposal:	Single storey rear extension extending a maximum 3.375m from rear elevation, height to eaves 2.715m and max. overall height 3m.		
Delegated Decision			
Application Number:	20/0330/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	27/03/2020
Location Address:	Gipsy Hill Hotel Gipsy Lane Exeter Devon EX1 3RN		
Proposal:	Bay tree. Roots from the tree have damaged the drains by breaking into the drains beneath, which has enabled rodents to dig from the drain causing a public health issue. The closeness of the tree to the hotel can also lead to the roots causing subsidence in the future. Work is required to fell the tree.		
Priory			
Delegated Decision			
Application Number:	19/1636/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	24/03/2020
Location Address:	Royal Devon And Exeter Hospital Barrack Road Exeter Devon		
Proposal:	Temporary two year contractors parking and construction materials compound.		
Delegated Decision			
Application Number:	20/0016/FUL	Delegation Briefing:	20/02/2020
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	Countess Wear House 59 Countess Wear Road Exeter Devon EX2 6LR		
Proposal:	Installation of roof-mounted solar panels.		
Delegated Decision			
Application Number:	20/0017/LBC	Delegation Briefing:	20/02/2020
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	Countess Wear House 59 Countess Wear Road Exeter Devon EX2 6LR		
Proposal:	Installation of roof-mounted solar panels.		
Delegated Decision			
Application Number:	20/0027/FUL	Delegation Briefing:	13/02/2020
Decision Type:	Permitted	Date:	10/03/2020
Location Address:	28 Well Oak Park Exeter Devon EX2 5BB		
Proposal:	Two storey rear extension.		

Delegated Decision			
Application Number:	20/0058/FUL	Delegation Briefing:	13/02/2020
Decision Type:	Permitted	Date:	01/04/2020
Location Address:	Royal Devon And Exeter Hospital Barrack Road Exeter Devon		
Proposal:	Construction of Vacuum Insulated Evaporator (VIE) plant and hardstanding, Re-provision of car parking.		
Delegated Decision			
Application Number:	20/0060/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	18/03/2020
Location Address:	Royal Devon And Exeter Hospital Barrack Road Exeter Devon		
Proposal:	Installation of Air Handling Unit, together with associated ductwork and screening.		
Delegated Decision			
Application Number:	20/0169/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	138 Burnthouse Lane Exeter Devon EX2 6NB		
Proposal:	Rear ground floor extension with small front extension.		
Delegated Decision			
Application Number:	20/0181/FUL	Delegation Briefing:	05/03/2020
Decision Type:	Permitted	Date:	27/03/2020
Location Address:	41 Tollards Road Exeter Devon EX2 6JJ		
Proposal:	First floor side extension over rebuilt garage and rear single storey extension.		
Delegated Decision			
Application Number:	20/0246/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	09/03/2020
Location Address:	39 Veysey Close Exeter Devon EX2 6AS		
Proposal:	Fell a twin stemmed Sycamore Tree (T51) located close to the rear garden boundary of the application address.		
St Davids			
Committee Decision			
Application Number:	19/1676/FUL	Delegation Briefing:	19/12/2019
Decision Type:	Refuse Planning Permission	Date:	17/03/2020
Location Address:	St Andrews Yard Willeys Avenue Exeter Devon EX2 8EP		
Proposal:	Demolition of existing single storey business premises and construction of 9no residential apartments along with on-site parking and associated landscaping.		

Delegated Decision			
Application Number:	20/0095/FUL	Delegation Briefing:	13/02/2020
Decision Type:	Permitted	Date:	12/03/2020
Location Address:	125 Fore Street St Davids Exeter Devon EX4 3JQ		
Proposal:	Change of use of basement from retail to tattoo studio		
Delegated Decision			
Application Number:	20/0117/LBC	Delegation Briefing:	20/02/2020
Decision Type:	Permitted	Date:	17/03/2020
Location Address:	46 High Street Exeter Devon EX4 3DJ		
Proposal:	Remove ground floor partition wall to the retail/sales area.		
Delegated Decision			
Application Number:	20/0150/LBC	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	The Southgate Hotel Southernhay East Exeter Devon EX1 1QF		
Proposal:	Installation of car park management system (ANPR system and associated signage).		
Delegated Decision			
Application Number:	20/0223/PDC	Delegation Briefing:	
Decision Type:	Prior Approval Required and Granted	Date:	07/04/2020
Location Address:	96 Fore Street St Davids Exeter Devon EX4 3HY		
Proposal:	Change of use from a shop (A1 use) to cafe (A3 use).		
Delegated Decision			
Application Number:	20/0227/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	The Southgate Hotel Southernhay East Exeter Devon EX1 1QF		
Proposal:	Installation of car park management system (ANPR system and associated signage).		
Delegated Decision			
Application Number:	20/0228/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	The Southgate Hotel Southernhay East Exeter Devon EX1 1QF		
Proposal:	Car Park Management Signage: 15 signs mounted on lighting columns, signage poles or on the wall of the buildings signage is of 2 sizes, 800mm x 600 mm and 600mm x 600mm facing internally into the car park to advise of the car parks stay allocation as per the British Parking Association (BPA)		

Delegated Decision		
Application Number:	20/0231/CAT	Delegation Briefing:
Decision Type:	Permitted	Date: 11/03/2020
Location Address:	7 Queens Terrace Exeter Devon EX4 4HR	
Proposal:	Yew T1 - Fell , because of the size it will reach and it's proximity to listed boundary wall. The roots are heaving the garden path and wall and causing shading.We are also concerned about it's toxic properties on our pets. we would like to replant an insect friendly blossoming fruit tree.We think this tree is not a suitable tree for a garden the size of ours and believe it has grown from a seed from one of the original yew trees growing on the council grass area at the back of our property, the last owner of the property didn't realise how large the tree would get.	
Delegated Decision		
Application Number:	20/0260/DIS	Delegation Briefing:
Decision Type:	Condition(s) Fully Discharged	Date: 25/03/2020
Location Address:	Turks Head 202 High Street Exeter Devon EX4 3EB	
Proposal:	Discharge of conditions 3 and 4 of 19/0804/LBC	
Delegated Decision		
Application Number:	20/0273/CAT	Delegation Briefing:
Decision Type:	Withdrawn by Applicant	Date: 16/03/2020
Location Address:	Georges Meeting House 38 South Street Exeter Devon EX1 1ED	
Proposal:	Removal of Silver Birch, to be replaced like for like with new tree.	
Delegated Decision		
Application Number:	20/0277/CAT	Delegation Briefing:
Decision Type:	Permitted	Date: 05/03/2020
Location Address:	31 St Davids Hill Exeter Devon EX4 4DA	
Proposal:	Holm Oak, 30% crown reduction and 2-3m safety clearance off building(s).	
Delegated Decision		
Application Number:	20/0342/CATEX	Delegation Briefing:
Decision Type:	Permitted	Date: 10/03/2020
Location Address:	3 St Leonards Avenue Exeter Devon EX2 4DL	
Proposal:	Removal of trees/bushes in rear garden.	

Delegated Decision			
Application Number:	20/0344/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	27/03/2020
Location Address:	Princesshay Centre St Stephens House 9 Catherine Street Exeter Devon EX1 1EU		
Proposal:	T13-14-15 (Norway maple) reduce crown / shape to previous points.T11(Oak) Reduce crown by - Branch tip reduction 2m clear of building.T21(Pear) pollard. T36-37-38-39-40-41-42 (London plane) Reduce crown by - Specified extent Crown reduce to create 2m clearance from building and lift to 5.2m over road		
Delegated Decision			
Application Number:	20/0384/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/03/2020
Location Address:	Unit 2 Ashmore Court 3 Haven Road Exeter Devon EX2 8BT		
Proposal:	Company signs above windows.		
St Loyes			
Delegated Decision			
Application Number:	19/1410/FUL	Delegation Briefing:	13/02/2020
Decision Type:	Permitted	Date:	06/03/2020
Location Address:	40 Ringswell Avenue Exeter Devon EX1 3EF		
Proposal:	Single storey side extension.		
Delegated Decision			
Application Number:	20/0070/FUL	Delegation Briefing:	13/02/2020
Decision Type:	Permitted	Date:	19/03/2020
Location Address:	3 Aller Vale Close Exeter Devon EX2 5NH		
Proposal:	First floor rear extension.		
Delegated Decision			
Application Number:	20/0093/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/03/2020
Location Address:	Police Headquarters Devon And Cornwall Constabulary Police Training College Alderson Drive Exeter Devon EX2 7HQ		
Proposal:	2no. non illuminated Entrance signs.2no. 2.4m high internally illuminated totem signs.1no. 2.4m high internally illuminated directional sign.1no. 1.2m high internally illuminated directional sign.1no. 10m Flag pole		

Delegated Decision			
Application Number:	20/0220/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	06/03/2020
Location Address:	Existing Garage Site Between Thornpark Rise And Birchy Barton Hill Exeter		
Proposal:	Various minor changes to approved plans comprising changes to a) the site layout to accommodate retaining structures, b) revised fenestration sizes and c) replacement tree beside Unit 1. (Non-Material Minor Amendment to planning permission reference 18/0890/ECC granted on the 3rd October 2018).		
Delegated Decision			
Application Number:	20/0336/FUL	Delegation Briefing:	19/03/2020
Decision Type:	Permitted	Date:	14/04/2020
Location Address:	4 Bishops Way Exeter Devon EX2 7PF		
Proposal:	Proposed attic conversion to provide additional bedroom.		
St Thomas			
Delegated Decision			
Application Number:	18/0495/FUL	Delegation Briefing:	23/01/2020
Decision Type:	Permitted	Date:	11/03/2020
Location Address:	35 Church Road St Thomas Exeter Devon EX2 9AZ		
Proposal:	Construction of 2 no. dwellings with associated alterations and landscaping works (revisions to initial scheme publicised on 22 June 2018)		
Delegated Decision			
Application Number:	19/1787/FUL	Delegation Briefing:	16/01/2020
Decision Type:	Permitted	Date:	23/03/2020
Location Address:	136 Barley Farm Road Cowick Exeter Devon EX4 1NJ		
Proposal:	Two storey side extension		
Delegated Decision			
Application Number:	20/0103/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	11/03/2020
Location Address:	Plymleigh Alphington Street Exeter Devon EX2 8AT		
Proposal:	Use of property with 8 bedsits		
Delegated Decision			
Application Number:	20/0137/FUL	Delegation Briefing:	05/03/2020
Decision Type:	Permitted	Date:	27/03/2020
Location Address:	29 Sydney Road Exeter Devon EX2 9AH		
Proposal:	Demolish and rebuild, to 1.1m height, wall between 29 Sydney Road and 4 Princes Street North.		

Delegated Decision			
Application Number:	20/0151/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	03/04/2020
Location Address:	114 Regent Street Exeter Devon EX2 9EJ		
Proposal:	Single-storey rear extensions.		
Delegated Decision			
Application Number:	20/0213/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	07/04/2020
Location Address:	22 Nelson Road Exeter Devon EX4 1BG		
Proposal:	Single storey side extension.		
Delegated Decision			
Application Number:	20/0266/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	02/04/2020
Location Address:	11 Buddle Lane Exeter Devon EX4 1JU		
Proposal:	Lawful use of ground floor as takeaway (Class A5)		
Delegated Decision			
Application Number:	20/0274/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	02/04/2020
Location Address:	134 Wardrew Road Exeter Devon EX4 1EZ		
Proposal:	Hip-to-gable extension with side facing window, rear dormer, and roof lights to the front.		
Topsham			
Delegated Decision			
Application Number:	19/1030/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	09/04/2020
Location Address:	Seabrook Orchards Land North Of Topsham Road Bounded By The Former RNSD Site, Exeter Golf And Country Club, Newcourt Road, The M5 And Topsham Town AFC Ground) Topsham Road Exeter		
Proposal:	Non-material amendment to condition 5 of planning approval 11/1291/01 to introduce an additional alternative Masterplan plan drawing no. SKM002 (Non-material minor amendment to Planning Permission Reference No. 11/1291/01 granted on 15th October 2013).		

Delegated Decision			
Application Number:	19/1357/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	05/03/2020
Location Address:	Phase 2 Seabrook Orchards (Formerly Land To North Of Topsham Town AFC Ground) Topsham Road		
Proposal:	Discharge of condition 34 (cycle parking) of application no. 11/1291/01 (as modified by non-material amendments 14/2111/37 and 14/1534/37) in so far as this condition relates to Phase 2 of the development (ref 18/1849/RES).		
Delegated Decision			
Application Number:	19/1696/LBC	Delegation Briefing:	05/03/2020
Decision Type:	Permitted	Date:	27/03/2020
Location Address:	87 Fore Street Topsham Exeter Devon EX3 0HQ		
Proposal:	External alterations to include: reroofing, replacement timber windows, roof construction infills and internal alterations to include; insulation and replaster to some internal walls		
Delegated Decision			
Application Number:	19/1717/FUL	Delegation Briefing:	19/12/2019
Decision Type:	Permitted	Date:	11/03/2020
Location Address:	Sails Lofts Fore Street Topsham Exeter Devon EX3 0HX		
Proposal:	Part replacement of external doors/windows, boiler flue, roof vents, entrance ramp, and balcony kerb		
Delegated Decision			
Application Number:	19/1727/FUL	Delegation Briefing:	30/01/2020
Decision Type:	Permitted	Date:	17/03/2020
Location Address:	74 High Street Topsham Exeter Devon EX3 0DY		
Proposal:	Small front porch extension, rear kitchen dining living room extension with flat roof and lantern light.		
Delegated Decision			
Application Number:	19/1728/LBC	Delegation Briefing:	13/02/2020
Decision Type:	Permitted	Date:	11/03/2020
Location Address:	5 Clara Place Topsham Exeter Devon EX3 0JR		
Proposal:	Construction of en-suite shower room within second floor bedroom.		
Delegated Decision			
Application Number:	20/0131/FUL	Delegation Briefing:	05/03/2020
Decision Type:	Permitted	Date:	02/04/2020
Location Address:	1 Newcourt Way Exeter Devon EX2 7SA		
Proposal:	Construction of single storey rear extension and single storey side extension.		

Delegated Decision			
Application Number:	20/0165/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Partially Approved	Date:	05/03/2020
Location Address:	Land To The West Of Clyst Road Topsham Exeter EX3 0DQ		
Proposal:	Discharge of Condition 11 (Written Scheme of Archaeological Work) of application no. 17/1148/OUT.		
Delegated Decision			
Application Number:	20/0180/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	25/03/2020
Location Address:	Newcourt House Old Rydon Lane Topsham Exeter Devon EX2 7JU		
Proposal:	T1 - Sycamore - reduce edge of upper eastern canopy only by approx. 1m; also reduce length of 2x lower branches to east by 1m, to reduce overhang back to the boundary. T2 - Sycamore - re-pollard to previous pollard points. To reduce shading and mitigate against future failure at topping points.T3 Sycamore - reduce edge of upper eastern canopy only by 2-3m; reduce lower eastern branches by 1-2m, with the intention of reducing the eastern canopy edge back to the boundary line.		
Delegated Decision			
Application Number:	20/0191/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	24/03/2020
Location Address:	15 Higher Wear Road Exeter Devon EX2 7EL		
Proposal:	Single storey rear extension extending a maximum 3.3m from rear elevation, height to eaves 2.45m and maximum overall height 3.5m.		
Delegated Decision			
Application Number:	20/0201/FUL	Delegation Briefing:	27/02/2020
Decision Type:	Permitted	Date:	30/03/2020
Location Address:	541 Topsham Road Exeter Devon EX2 7DL		
Proposal:	Infill car-port, porch, and cladding to front of property		
Delegated Decision			
Application Number:	20/0235/FUL	Delegation Briefing:	12/03/2020
Decision Type:	Permitted	Date:	14/04/2020
Location Address:	23 Resolution Road Exeter Devon EX2 7FG		
Proposal:	Proposed conservatory.		

Delegated Decision			
Application Number:	20/0242/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/03/2020
Location Address:	Almernes Bridge Road Exeter Devon EX2 7AA		
Proposal:	Non-Material Amendment to Planning Permission Ref. 18/1400/FUL (allowed on appeal 01 March 2019) to remove one juliet balcony and replace with a window.		
Delegated Decision			
Application Number:	20/0250/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	01/04/2020
Location Address:	49 Victoria Road Topsham Exeter Devon EX3 0EU		
Proposal:	T1 Cypress: Fell.		
Delegated Decision			
Application Number:	20/0286/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	01/04/2020
Location Address:	3 Coysh Square Topsham Exeter Devon EX3 0JS		
Proposal:	Silver Birch (T1) removal of Eastern Limb.		
Delegated Decision			
Application Number:	20/0324/FUL	Delegation Briefing:	19/03/2020
Decision Type:	Permitted	Date:	14/04/2020
Location Address:	13 Albatross Road Exeter Devon EX2 7SB		
Proposal:	Proposed rear extension and alterations.		
Delegated Decision			
Application Number:	20/0348/CATEX	Delegation Briefing:	
Decision Type:	Permitted	Date:	12/03/2020
Location Address:	26 Parkfield Road Topsham Exeter Devon EX3 0DR		
Proposal:	Fell Plum tree.		
Total Applications: 110			

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REPORT TO: PLANNING COMMITTEE
Date of Meeting: 27 April 2020
Report of: Director
Title: Appeals Report

Is this a Key Decision? No

Is this an Executive or Council Function? No

1. What is the report about?

- 1.1 The report provides Members with information on latest decisions received and new appeals since the last report.

2. Recommendation:

- 2.1 Members are asked to note the report.

3. Appeal Decisions Received:

None

4. New Appeals

4.1 20/0018/FUL – 1 Venny Gardens, Venny Bridge, Exeter

Roof alterations for loft conversion and Velux windows; conversion of garage to hallway and new front door arrangement.

4.2 20/0076/TPO – 6 Truro Drive, Exeter

Oak (T1) Removal of dead wood and crown reduction.

4.3 ENF/19/00115 – Rosedale, 4 Newcombe Street, Exeter

Construction of a dormer window on the rear elevation of the property.

4.4 19/1742/FUL - 5 Friars Walk, Exeter

Enlargement of existing porch and first floor bathroom.

4.5 19/1743/LBC - 5 Friars Walk, Exeter

Enlargement of existing porch and first floor bathroom.

Bindu Arjoon
Director

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

Background papers used in compiling the report:

Letters, application files and appeal documents referred to in report are available for inspection from: City Development, Civic Centre, Paris Street, Exeter

Contact for enquiries: Democratic Services (Committees) - Room 2.3. Tel: 01392 265275

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