

## PLANNING

Date: Thursday 17 September 2020

Time: 5.30 pm

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

Members are invited to attend the above meeting re-convened from the adjourned meeting of 7 September 2020 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.

During the Corona Virus outbreak, meetings will be held by virtual means. The [live stream can be viewed here](#) at the meeting start time.

### *Membership -*

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

## Agenda

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

#### **1 Appointment of a Chair for the Meeting**

#### **2 Apologies**

To receive apologies for absence from Committee members.

#### **3 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.

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

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

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

## **Public Speaking**

**Public speaking on planning applications and tree preservation orders is permitted at this Committee. Only one speaker in support and one opposed to the application may speak and the request must be made by 10 am on the Thursday before the meeting (full details available on request from the Democratic Services Officer).**

**5 Planning Application No. 20/0293/FUL - 89 Mount Pleasant Road, Exeter**

To consider the report of the Assistant Service Lead City Development. (Pages 3 - 10)

**6 Planning Application No. 20/0437/FUL - Land to the North East of Newcourt Road, Topsham, Exeter**

To consider the report of the Assistant Service Lead City Development. (Pages 11 - 38)

**7 List of Decisions Made and Withdrawn Applications**

To consider the report of the Director (BA) (Pages 39 - 74)

**8 Appeals Report**

To consider the report of the Director (BA). (Pages 75 - 78)

### **Date of Next Meeting**

The next scheduled meeting of the Planning Committee will be held on **Monday 12 October 2020** at 5.30 pm.

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

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# Agenda Item 5

**COMMITTEE DATE:** 7th September 2020

**APPLICATION NO:** 20/0293/FUL

**APPLICANT:** Mr Daniel Partridge

**LOCATION:** 89 Mount Pleasant Road, Exeter

**PROPOSAL:** Change of use from dwelling (Class C3) to House of Multiple Occupation (Class C4).

**REGISTRATION DATE:** 28<sup>th</sup> February 2020

**RELATED DOCUMENTS:** <http://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q6EKYJHBGLB00>

## **SITE HISTORY**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
19/0667/FUL	Change of use from dwelling (Class C3) to House of Multiple Occupation (Class C4)	WDN	09.09.2019

## **DESCRIPTION OF SITE/PROPOSAL**

The proposal relates to a two storey three-bedroom mid-terrace dwelling on Mount Pleasant Road. The property is located within a zone where the Council has applied an Article 4 Direction to restrict changes of use from Class C3 (dwelling) to Class C4 (House in Multiple Occupation, or HMO). This was introduced in 2011 in order to address an identified problem with a growing concentration of HMOs in residential streets close to the city centre and the University of Exeter campus. The objective was to ensure the maintenance of balanced communities and to prevent streets being dominated by short stay student residents, which leaves properties vacant for significant periods outside of the academic terms.

This property was in student HMO use prior to 2013 when the applicant bought the property and, through Permitted Development, converted it back to a Class C3 dwelling. After a period of 6 years, the applicant has concluded that the dwelling is not suitable for normal family life and therefore wishes to move. He considers that it is unlikely that an owner occupier will purchase the property and therefore seeks planning permission for a change of use back to a Class C4 HMO.

## **REPRESENTATIONS**

3 objections have been received.

2 of these are short objections effectively stating that there should be no more HMOs in the area.

1 letter of support from a Support Worker for the adjacent Salvation Army Housing Association HMO. He acknowledges that tenants in this property cause difficulties for the applicant. He states that he and his colleagues work with the residents of the HMO to help them to be good neighbours. However, once they develop these skills and are able to move to more permanent and independent accommodation a new resident takes their place and the process starts again. When No. 89 was occupied by students previously, prior to 2013, the occupiers kept irregular hours and had the odd party and seemed to tolerate their neighbours doing the same. The property is one of the few family houses in the street and the presence of so many bedsits and multiple-lets is discouraging owner occupiers from making offers.

## **CONSULTATIONS**

The Police *Designing Out Crime* Officer at Devon and Cornwall Police has no objection to the proposal but provides some general advice on measures to improve security as HMOs can be at significant risk of burglary and theft.

## **PLANNING POLICIES/POLICY GUIDANCE**

Exeter Local Plan First Review 1995-2011  
H5 – Diversity of Housing  
DG1 – Objectives of Urban Design  
DG4 – Residential Layout and Amenity

Exeter City Council Supplementary Planning Document  
HMO (Including Class C4 Uses)

Article 4 Direction restricting Permitted Development rights for changes of use from Class C3 (dwelling) to Class C4 (HMO)

## **OBSERVATIONS**

The Council's Article 4 Direction is accompanied by a Supplementary Planning Document (SPD) on HMOs, which seeks to clarify Policy H5 of the Exeter Local Plan. This states that conversions of dwellings to HMOs will be permitted provided that "the proposal will not create an overconcentration of the use in any one area of the city which would change the character of the neighbourhood or create an imbalance in the local community". The very presence of the Article 4 Direction indicates that the Council has identified a problem with an overconcentration of HMOs in the restricted zone. The question therefore is whether this particular change would create an imbalance in the local community.

In order to support its objectives, the Council's aforementioned SPD contains a presumption against granting planning permission for further Class C4 uses within the restricted zone. However, the document acknowledges that "there may be some cases where very localised communities are already so imbalanced that the policy objective of protecting a balance is unlikely to be achieved. In these cases owners of Class C3 dwellings may find difficulty in finding a purchaser for continued Class C3 use and may therefore wish to change to Class C4/HMO use" (Paragraph 5.2). The Council sets out 4 criteria that it will take into account when these circumstances arise. These are addressed in turn below.

*1. Local representations in support or objection from those directly affected by the proposal.*

Two objections have been raised. One is from a resident in Beech Avenue in Pennsylvania, which is some distance from the site. It is not clear if the writer has any more local property interests in the area. The other objection is from a resident in the street behind this property, Abbots Road, who is concerned about the strain being put on parking and services. This is not a significant response from the local community although it could also be a reflection of a lack of owner occupiers in the immediate vicinity.

In his application form, the applicant refers to particular problems he is experiencing with the neighbouring HMO run by the Salvation Army Housing Association. He states that this is occupied by individuals in need of temporary housing that are recovering from homelessness and substance abuse. He stipulates that “we have had significant ongoing issues with noise, loud music and disturbance at all hours of the day and night throughout the period in which we have owned the property. We have been in regular contact with the housing charity about these ongoing issues, but these issues have not been (and will not be) resolved due to the ongoing nature of the use”. He also relates that the other neighbouring HMO is occupied by students and he has also had problems with late night noise and disturbance from this property. Consequently, he has concluded that the property is not suitable for normal family life.

A Support Worker at the Salvation Army Housing Association acknowledges the problems with the tenants in its HMO. Whilst he and his colleagues do all they can to encourage the tenants to be good neighbours, the individuals move on once they develop these skills and reach a point where they are equipped to be able to support themselves in permanent independent accommodation. A new tenant then arrives and the process starts again. This writer supports the change of use to an HMO.

*2. The proximity of existing Class C4 uses, larger HMOs or Council Tax exempt properties where they might be likely to affect the amenities of normal family life (e.g. if there were such uses on both adjoining sides).*

The applicant has provided a map of HMOs and properties subdivided into flats and bedsits in the immediate vicinity. This has been checked and verified as accurate by the Council’s HMO Licensing team. It shows that of the thirteen properties in the row from Nos. 85 to 97 Mount Pleasant Road 10 are already in HMO use and 1 is subdivided into flats or bedsits. On the opposite side of the road, the row of 17 properties between Nos. 12a and 29 includes 12 HMOs and 4 subdivided properties.

This demonstrates that there is already a high percentage of HMOs in the locality and indicates that the area already contains a concentration that has changed the character of the area and resulted in a loss of community balance. The evidence tends to support the applicant’s assertion that his property is not suitable for normal family life.

*3. Any demonstrable difficulty in achieving a satisfactory sale of a property as a Class C3 dwelling.*

The applicant placed the property on the market in August 2019. Whilst it remains for sale, the property was on the market for around 7 months prior to the Coronavirus lockdown. In a letter dated 19 February 2020, the estate agent confirmed that there had been 36 viewings booked during that period although some were subsequently cancelled when clients realised the nature of the neighbouring uses. Two clients returned for second viewings but these were understood to be people interested in buying the property to let. No offers had been made at all, including none below the asking price.

In seeking feedback from clients, the estate agent discovered that 16 were not interested because of the neighbouring uses. 5 were discouraged because the Article 4 Direction would restrict buy to let. 2 were concerned about parking. None mentioned the price as a problem. The estate agent therefore stated that in his professional opinion a reduction in price would not make a significant difference in achieving a sale. He noted that other properties in the area that were not adjoined by HMOs had sold reasonably quickly. Nonetheless, the applicant revisited the price with the estate agent and in May 2020 it was reduced from £300000 to £290000.

In a further letter dated 25 August 2020, the estate agent has updated the situation. It asserts that the property market has been buoyant as lockdown has eased and that it has sold more properties in the past 3 months than in any other 3 month period over the past five years. This particular property has been advertised extensively both locally and online. A sale board also remains outside the property. However, the estate agent points out that 30% of its clients no longer choose to display a board because it is not considered necessary.

Online, the property details are being viewed around 40-50 times a day. In total there have now been around 50 viewings booked. 10 have been booked post-lockdown since the price has been reduced. However, around 30 have been subsequently cancelled. In obtaining feedback, the estate agent discovered that 31 were not interested because of the neighbouring uses. 2 were put off by parking arrangements. 5 were discouraged because the Article 4 Direction would restrict buy to let. No one has stated that the price is a problem. Indeed, the estate agent points to the fact that it has recently sold a much smaller 2 bedroom house in nearby Commins Road for £270000, just £20000 below the asking price for this property. "The overwhelming feedback that we have received throughout our time marketing the property", it concludes, "is that potential buyers do not want to live next door to HMOs and student accommodation."

To confirm that the price of the property is reasonable, the applicant has asked for valuations from two other estate agents. He reports that both have recently sold similar properties in the local area. They have valued the property in the region of £300000 to £325000.

To date, after more than a year on the market, it remains the case that no offers have been made including none below the asking price.

The evidence presented here suggests that the Council's policy objectives are difficult to achieve when there is a perception that a balanced community has already been lost.

*4. Any other circumstances indicating the policy restriction is causing severe personal hardship.* The applicant has not provided any information in his submission on this matter.

Taking all these points together, it is concluded that three of the four exceptional circumstances have been reasonably met in this instance. The immediate vicinity already has an overconcentration of HMOs and subdivided properties that have altered the character of the area and resulted in a loss of a balanced community. Consequently, as the marketing feedback has confirmed, it is difficult for the Council to achieve its policy objectives here. For these reasons, it is recommended that planning permission be granted.

#### **DELEGATION BRIEFING - 7 April 2020 and 28 April 2020**

Members expressed a range of views on the proposal and requested that it be presented to the Planning Committee for determination.

## **PLANNING COMMITTEE – 01 June 2020**

Members deferred the application for a period of 3 months to allow more time for the property to be marketed.

### **RECOMMENDATION**

#### **APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:-**

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

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

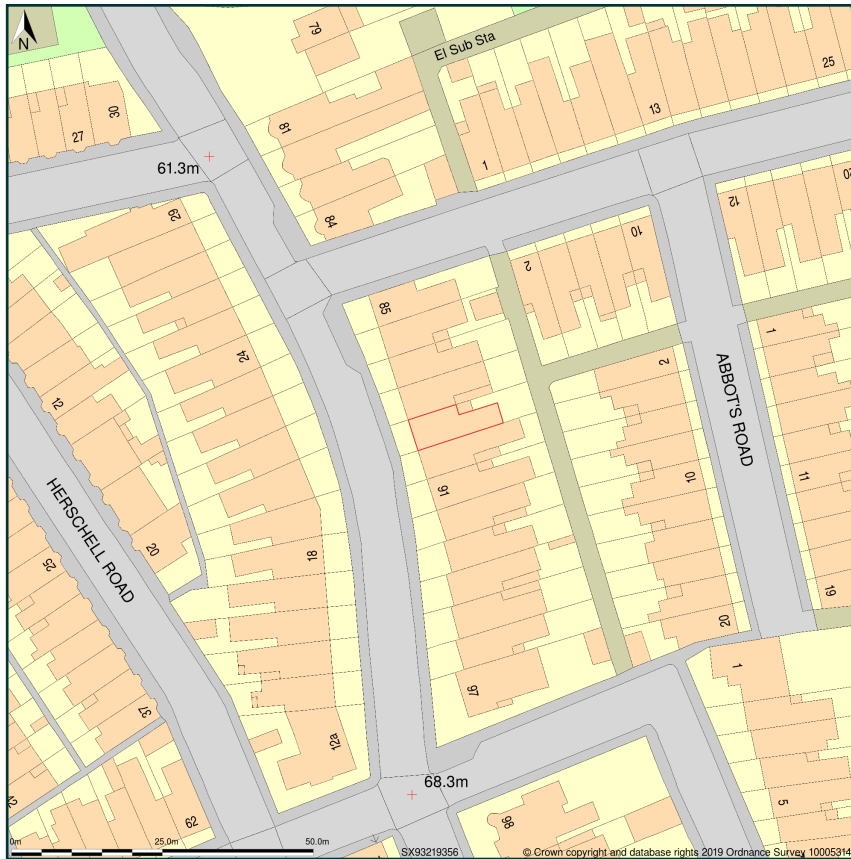
2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 28 February 2020 as modified by other conditions of this consent.

**Reason:** In order to ensure compliance with the approved details.

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89, Mount Pleasant Road, Exeter, Devon, EX4 7AD



Site Plan shows area bounded by: 293141.29, 93496.24 293282.71, 93637.66 (at a scale of 1:1250), OSGridRef: SX93219356. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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## Planning Committee Report - 20/0437/FUL

- 1.0**      **Application Number:** 20/0437/FUL  
**Applicant name:** Strongvox Homes  
**Proposal:** Residential development of 27 dwellings (including 35% affordable housing), access from Newcourt Road, public open space and associated works.  
**Site address:** Land to the North East of Newcourt Road, Topsham, Exeter.  
**Registration Date:** 02/04/2020  
**Web-link to application, drawings/plans:**  
<http://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q8472WHBH2H00>  
**Case Officer:** Michael Higgins  
**Ward Members:** Cllrs Leadbetter, Newby and Sparkes

REASON APPLICATION IS GOING TO COMMITTEE: Non-delegated.

**2.0**      **Summary of Recommendation:**

DELEGATE to GRANT permission subject to completion of a S106 Agreement relating to matters identified and subject to conditions as set out in report, but with secondary recommendation to REFUSE permission in the event the S106 Agreement is not completed within the requisite timeframe for the reason set out below.

**3.0**      **Reason for the recommendation:** as set out in Section 18 at end

- Absence of 5 year land supply
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- The proposal is not considered to be of any significant harm to neighbouring residential amenity.
- There are no material considerations which it is considered would warrant refusal of this application

**4.0**      **Table of key planning issues**

Issue	Conclusion
Principle of development	In context of lack of 5 year housing supply principle considered acceptable notwithstanding landscape setting policy.

Affordable Housing	Provision meets requirement of relevant policy
Access/Impact on Local Highways and parking provision	The Local Highway Authority has confirmed that these issues are acceptable, subject to contributions towards sustainable travel measures in the area and a Traffic Regulation Order (TRO) to extend the 20mph zone into the development, and conditions including one to secure a Travel Plan.
Scale, design, impact on character and appearance	Design is considered to be appropriate in context of prevailing character of existing development in the locality
Impact on Heritage Assets	No significant heritage assets impact
Impact on Trees and Biodiversity	Hedgerows retained, scheme incorporates appropriate mitigation and enhancement
Flood Risk and Surface Water Management	Following the provision of revised information the proposed approach is considered acceptable.
Sustainable Construction and Energy Conservation	Appropriate standard to be secured through condition
Economic benefits	Affordable housing, open space, contribution to enhances GP service provision, and jobs in construction related industries
CIL/S106	CIL generated and S106 to secure relevant benefits identified above.

## 5.0 Description of Site

The application site comprises a 1.01 hectare field situated on the north side of Newcourt Road between it and the Exeter to Exmouth branch railway line. The site slopes slightly down from the railway line to Newcourt Road and has hedgerows forming the site boundaries.

Newcourt Road itself comprises a mixture of ribbon development comprising mainly semi-detached dwelling on both sides of the first stretch extending out from Topsham interspersed with agricultural fields before a change to more ribbon development of principally detached properties on the southern side of the road. The field between the site and existing houses on Newcourt Road also has outline approval for residential development.

## **6.0 Description of Development**

The proposal relates to the development of this field to provide 27 dwellings comprising a mix of 1, 2, 3, 4 and 5 bed units arranged either side of a new road leading off Newcourt Road at approximately the midpoint of the site frontage. Alongside the road a central open space will be created with dwellings arranged around it creating a focal point for the development. The existing hedgerow along the site frontage will be removed as part of the formation of the site access and associated visibility splays.

## **7.0 Supporting information provided by applicant**

The application is accompanied by the following supporting information:

- Planning Statement
- Design & Access Statement
- Transport Statement
- Ecological Assessment
- Biodiversity Management and Enhancement Plan (BMEP)
- Method Statement for a Programme of Archaeological Work
- Flood Risk Assessment & Drainage Strategy Report
- Arboricultural Impact Assessment
- Lighting Impact Assessment
- Acoustic Design Statement
- Phase 1 Geo-environmental Assessment
- Phase 2 Geotechnical and Geo-environmental Assessment

## **8.0 Relevant Planning History**

19/0543/OUT - Construction of up to 23 residential dwellings (including market, affordable and age-restricted dwellings), provision of access off Newcourt Road, open space and associated works (outline application with details of access only for approval with scale, layout, appearance and landscaping all reserved for future consideration). Approved 23/12/2019 subject to a S106 Agreement relating to affordable housing.

The following applications on adjoining land are also considered relevant:

18/1120/OUT – Outline planning permission for development of site to provide 7 residential units (3 open market and 4 self-build plots) with access from Newcourt Road (Appearance, Landscaping, Layout and Scale all reserved for subsequent approval). This application was considered by the Planning Committee at its' meeting on the 24<sup>th</sup> June 2019 The Committee resolved to grant conditional planning permission subject to a S106 Agreement relating to affordable housing. This was completed and the approval was issued on 18<sup>th</sup> December 2019.

20/0121/RES - Submission of all reserved matters (appearance, landscape, layout and scale), pursuant to Planning Permission Reference 18/1120/OUT for development of site to provide 7 residential units (3 open market and 4 self-build plots) with access from Newcourt Road. This application is currently under consideration.

17/1148/OUT - Outline planning permission for up to 155 residential units and a 64-bedroom residential care home. Means of access to be determined with scale, layout, appearance and landscaping reserved for future consideration. Refused 07/03/2018. Subsequently allowed on appeal by Planning Inspector's decision letter dated 14/01/2019.

## 9.0 List of Constraints

Zone of Influence of SPA's  
Landscape Setting  
Adjacent branch railway line

## 10.0 Consultations

**All consultee responses can be viewed in full on the Council's website.**

**Devon & Somerset Fire & Rescue Service** – No objection in principle. Identify services need for a Fire Hydrant and state that detailed requirements will be picked up at Building Regulations stage. Subsequent to receipt of these comments the applicant has provided a further drawing demonstrating that the layout provides access and turning for a fire appliance as well as Refuse vehicles.

**Royal Devon and Exeter NHS Foundation Trust** - submitted a lengthy consultation response setting out the background and justification behind a request for a S106 financial contribution of £34,813 towards the cost of providing capacity for the Trust to maintain service delivery during the first year of occupation of each unit in the development.

**Torbay and South Devon NHS Foundation Trust** – Respond as follows (It should be noted that in the Methodology section of the response below the application number referenced is incorrect) -

“The application has been reviewed from a primary care perspective and the following comments are provided by NHS Devon Clinical Commissioning Group as their response to the application. The response has been informed by the Devon Health Contributions Approach: GP Provision (<https://www.devon.gov.uk/planning/planning-policies/other->

county-policy-and-guidance) which was jointly prepared by NHS England and Devon County Council.

In preparing this response, it is noted that the Exeter City Council Core Strategy Document 2012 under “Meeting the Communities Needs” states that:

*The objectives of the Sustainable Community Strategy and other strategies and programmes can be delivered, at least in part, through developer contributions sought for social and community infrastructure, including education/skills, health, culture, sports and leisure facilities.*

*Examples of areas where developer contributions could facilitate change and enhancement include:*

*.....improving access to health and social care (Exeter Sustainable Community Strategy/Exeter Primary Care Trust Estate Strategy/Royal Devon and Exeter (NHS) Trust Building Programme);*

The CCG’s concern is that Topsham Surgery in the Topsham area is already over capacity within its existing footprint therefore it follows that to have a sustainable development in human health terms the whole local healthcare provision will require review. The surgery already have 10,943 patients registered between them and this new development will increase the local population by a further 60 to 70 persons.

Taking this into account and drawing upon the document “*Devon Health Contributions Approach: GP Provision document*” which was agreed by NHS England and Devon County Council, the following calculation has been made:

#### **Methodology for Application 20/0321/FUL**

1. Residential development of 27 dwellings (including 35% affordable housing)
2. This development is in the catchment of the Topsham Surgery which has a total capacity for 10,411 patients.
3. The current patient list size is 10,943 which is already over capacity by 532 patients or at 105% of capability.
4. The increased population from this development = 62
  - a. No of dwellings \* Average occupancy rate = population increase
  - b.  $27 * 2.28 = 62$
5. The new GP List size will be 11,005 which is over capacity by 594

- a. Current GP patient list + Population increase = Expected patient list size
  - b.  $10,943 + 62 = 11,005$  (594 over capacity)
  - c. *If expected patient list size is within the existing capacity, a contribution is not required, otherwise continue to step 6*
6. Additional space required =  $4.92\text{m}^2$
- a. The expected patient list size, for this size practice =  $0.08\text{m}^2$
  - b. Population increase \* space requirement per patient = total space ( $\text{m}^2$ ) required
  - c.  $62 * 0.08 = 4.92 \text{ m}^2$
7. Total contribution required = **£11,322**
- a. Total space ( $\text{m}^2$ ) required \* premises cost = final contribution calculation
  - b.  $4.92 \text{ m}^2 * £2299 = £11,322$  (£419 per dwelling).

Could you please acknowledge the CCG's request for an S106 contribution towards the cost mitigation of the pressures on the local healthcare facility and it will form part of any future s106 Agreement with the Developers."

**Environmental Health** – Recommends conditions relating to a CEMP, land contamination, noise mitigation and external lighting.

**ECC Principle Project Manager (Heritage)** – Comments "A written scheme of archaeological work has been submitted with the planning application documents. So long as this can be approved as part of an eventual planning permission and listed in the decision notice then there is no need for a pre-commencement condition. No other supporting info is required as there are no archaeological constraints on the principle or layout of the proposed development."

**Police Designing Out Crime Officer** – No response received.

**DCC Education (Children's Services)** – Have confirmed that given the fall-back position of a valid consent on this site for 23 dwellings (ref no. 19/0543/OUT) on which no S106 education contribution was secured they are not requesting an education contribution in connection with this current application.

**Natural England** – Identify need to secure mitigation of potential impact on protected European sites, and refer to standing advice relating to impact on protected species and biodiversity gain.

**Network Rail** – No objection but recommend guidance for applicant to follow regarding protection of the railway asset.



**DCC (Lead Local Flood Authority) – Comment as follows:**

“At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy CP12 (Flood Risk) of Exeter City Council's Core Strategy (2012) which requires all developments to mitigate against flood risk and utilise sustainable drainage systems, where feasible and practical. The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.”

Following submission of further information a revised consultation response has been received with the following recommendation –

“Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage, assuming that the following pre-commencement planning conditions are imposed on any approved permission:

- 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. 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.  
Reason for being a pre-commencement condition: A plan needs to be demonstrated prior to the commencement of any works to ensure that surface water can be managed suitably without increasing flood risk downstream, negatively affecting water quality downstream or negatively impacting on surrounding areas and infrastructure.  
Advice: Refer to Devon County Council's Sustainable Drainage Guidance.”

**County Head of Planning, Transportation and Environment (Highways) –**

The development will result in an increase of 6 trip during peak hours compared to the previously permitted development. This will increase traffic on Newcourt Road raising some concern over private vehicle reliance, however the applicant is willing to pay a s106 contribution of £250 per dwelling towards sustainable travel measures in the area which mitigates this concern. A footpath will be provided along the site frontage that will link with the footpath that will be provided on the neighbouring site. In addition Newcourt Road will be widened to

allow two vehicles to pass. These works will be subject to s278/38 agreements and should be secured by condition. Overall the access to the site and internal road network is acceptable. A contribution of £3,000 is required for a TRO to extend the existing 20mph zone into the development. The layout includes sufficient parking provision for residents and visitors. Cycle parking should be conditioned to ensure compliance with the standards in the Sustainable Transport SPD. A Travel Plan should also be secured by condition. Blacktop and/or imprint must be used on roads to be adopted by the Local Highway Authority.

## 11.0 Representations

23 letters of representation have been received, including one from the Topsham Society and Exeter Cycling Campaign, raising the following issues:

- Newcourt Road is a no-through road which is unsuitable to accommodate additional traffic, including construction traffic, especially due to the bottleneck at the Denver Road end
- Impact on road safety – increased traffic. Narrow road, lack of pavements, poor visibility – dangerous to cyclists/pedestrians – well used, including children walking to school
- More traffic on Topsham Road since Old Rydon Lane made partly one-way
- Loss of green space (fields)/Topsham Gap – contrary to Development Plan
- Question validity of traffic surveys/assumptions
- Lack of school places to accommodate additional pupils
- Lack of infrastructure capacity – health, education, policing
- Sustainability – use of renewables
- Wildlife impacts/protected species – biodiversity enhancement opportunities
- Loss of trees/hedgerows
- Poor architecture – not in character with area nor exemplar, no Design Review process
- Lack of adequate parking provision
- Noise disturbance/pollution, especially during construction phase
- Design car dominated – quantity of parking not encouraging sustainable modes of transport. Should demonstrate priority to cyclists/pedestrians
- Lack of open space
- Junction design with Newcourt Road should have a raised table
- Developer should pay for shared use pedestrian/cycle path from development to junction with Topsham Road
- Cycle storage provision
- Nature and use of Newcourt Road changed considerably over years with developments nearby

- Overdevelopment, height of buildings
- Loss of agricultural land
- Drainage/sewerage arrangements and capacity
- Planners failed in dealing with previous applications in locality creating lack of faith in ability to assess this proposal
- Changes from previous approval in terms of number of dwellings and nature of them exacerbate problems identified.

## 12.0 Relevant Policies

### **Government Guidance**

National Planning Policy Framework (NPPF) (February 2019)

Planning Practice Guidance (PPG)

### **Core Strategy (Adopted 21 February 2012)**

Core Strategy Objectives

CP1 – Spatial Strategy

CP3 – Housing

CP4 – Density

CP5 – Mixed Housing

CP7 – Affordable Housing

CP9 – Transport

CP10 – Meeting Community Needs

CP11 – Pollution

CP12 – Flood Risk

CP14 – Renewable and Low Carbon Energy

CP15 – Sustainable Construction

CP16 – Green Infrastructure, Landscape and Biodiversity

CP17 – Design and Local Distinctiveness

CP18 – Infrastructure

### **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

H3 – Housing Sites

H5 – Diversity of Housing

H7 – Housing for Disabled People

L4 – Provision of Playing Pitches

T1 – Hierarchy of Modes

T2 – Accessibility Criteria

T3 – Encouraging Use of Sustainable Modes

T5 – Cycle Route Network

T9 – Access to Buildings by People with Disabilities

T10 – Car Parking Standards

C5 – Archaeology  
LS1 – Landscape Setting  
LS4 – Nature Conservation  
EN2 – Contaminated Land  
EN3 – Air and Water Quality  
EN4 – Flood Risk  
EN5 – Noise  
EN6 – Renewable Energy  
DG1 – Objectives of Urban Design  
DG2 – Energy Conservation  
DG4 – Residential Layout and Amenity  
DG5 – Provision of Open Space and Children’s Play Areas  
DG6 – Vehicle Circulation and Car Parking in Residential Development  
DG7 – Crime Prevention and Safety

**Devon Waste Plan 2011 – 2031 (Adopted 11 December 2014) (Devon County Council)**

W4 – Waste Prevention  
W21 – Making Provision for Waste Management

**Development Delivery Development Plan Document (Publication Version, July 2015)**

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

DD1 – Sustainable Development  
DD8 – Housing on Unallocated Sites  
DD9 – Accessible, Adaptable and Wheelchair User Dwellings  
DD13 – Residential Amenity  
DD19 – Safeguarding Railway Land and Former Railway Land  
DD20 – Accessibility and Sustainable Movement  
DD21 – Parking  
DD22 – Open Space, Allotments, and Sport and Recreation Provision  
DD25 – Design Principles  
DD26 – Designing out Crime  
DD28 – Conserving and Managing Heritage Assets  
DD29 – Protection of Landscape Setting Areas  
DD30 – Green Infrastructure  
DD31 – Biodiversity  
DD33 – Flood Risk  
DD34 – Pollution and Contaminated Land

**Exeter City Council Supplementary Planning Documents**

Affordable Housing SPD (April 2014)  
Archaeology and Development SPD (Nov 2004)  
Sustainable Transport SPD (March 2013)

Planning Obligations SPD (April 2014)  
Public Open Space SPD (Sept 2005)  
Residential Design Guide SPD (Sept 2010)  
Trees and Development SPD (Sept 2009)

### **Other documents**

Exeter Fringes Landscape Sensitivity and Capacity Study February 2007  
Visual Land Parcel Evaluation for Potential Residential Sites in Exeter  
September 2013

### **Devon County Council Supplementary Planning Documents**

Minerals and Waste – not just County Matters Part 1: Waste Management and  
Infrastructure SPD (July 2015)

## **13.0 Human rights**

Article 6 - Right to a fair trial.  
Article 8 - Right to respect for private and family life and home.  
The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **14.0 Public Sector Equalities Duty**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

- New footpath to site frontage as part of access formation on a section of Newcourt Road where none presently exists.
- Health Care – Contribution secured towards enhanced GP services provision.
- Wheelchair accessible ground floor flat as part of affordable housing provision.

## 15.0 Financial benefits

### Material considerations

Affordable housing, 9 dwellings and commuted sum of £60,322.61 for part unit of 35% requirement.

Quantum of greenspace – approx. 900sq m (excluding new hedgerow frontage)

Contributions to health care of £11,322 towards enhanced GP services provision.

£250 per dwelling towards sustainable travel measures in the area.

£3,000 Traffic Regulation Order to extend 20mph zone into the development.

Proposal will create jobs in construction and related industries.

### Non material considerations

#### CIL contributions

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site. This proposal is CIL liable.

The rate at which CIL is charged for this development is £119.92 per sq. metre plus new index linking. Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued prior to the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development. Full details of current charges are on the Council's website. The rate per sq. m granted for 2020 for this development is £119.29.

New Homes Bonus.

## 16.0 Planning Assessment

The key issues are:

1. The Principle of the Proposed Development
2. Affordable Housing
3. Access/Impact on Local Highways and parking provision
4. Scale, design, impact on character and appearance
5. Impact on Heritage Assets
6. Impact on Trees and Biodiversity
7. Flood Risk and Surface Water Management
8. Sustainable Construction and Energy Conservation

## 1. The Principle of the Proposed Development

There are a number of material planning considerations that need to be assessed in connection with this application. However in terms of the overall context for determination of the application it is important to highlight the position in relation to the Council's 5 year housing land supply and implications for relevant development plan policies.

Most recently this position has been highlighted in the consideration of an application for residential development of land in close proximity to the current application site, namely application 17/1148/OUT for land at Clyst Road that is only separated from the current application site by the intervening Exeter to Exmouth branch railway line. During this recent Public Inquiry it was accepted that the Council could only demonstrate a 5 year land supply of just over 2 years and 1 month. Although this has improved slightly recently the Council is still significantly short of being able to demonstrate a 5 year housing land supply. This is important when weighing up the planning balance in reaching a decision on the current application.

The current application site lies within an area identified as Landscape Setting in both the Adopted Local Plan and Core Strategy – Policies LS1 and CP16 respectively.

Policy LS1 states –

“Development which would harm the Landscape Setting of the city will not be permitted. Proposals should maintain local distinctiveness and character and:

- (a) Be reasonably necessary for the purposes of agriculture, forestry, the rural economy, outdoor recreation or the provision of infrastructure; or
- (b) Be concerned with change of use, conversion or extension of existing buildings;

Any built development associated with outdoor recreation must be essential to the viability of the proposal unless the recreational activity provides sufficient benefit to outweigh any harm to the character and amenity of the area.”

Whilst it is not considered that the proposed development would satisfy the requirements of this policy, in the Clyst Rd appeal mentioned above the Inspector referred to the policy as being based on outdated information, superseded by national policy and thereby concluded that conflict with this policy should be afforded limited weight. These comments are considered valid and as such it is equally considered that conflict with policy LS1 should be afforded limited weight in the determination of this application. The Inspector also attached no weight to policy DD29 of the emerging Development Delivery DPD due to the fact that it has not been progressed to submission and is likely to be delayed until sufficient

progress has been made with the intended Greater Exeter Strategic Plan (GESP). It is accepted that no significant weight should be attached to DDDPD policies in the consideration of this current application

Therefore the critical policy against which to judge the merits of the principle of residential development of the application site is policy CP16. The relevant section of policy CP16 is its third paragraph which reads as follows -

“The character and local distinctiveness of the areas identified below, will be protected and proposals for landscape, recreation, biodiversity and educational enhancement brought forward, in accordance with guidance in the Green Infrastructure Strategy, through the Development Management DPD:

- the hills to the north and north west;
- Knowle Hill to the south west;
- the strategic gap between Topsham and Exeter;
- and the Valley Parks: Riverside, Duryard, Mincinglake, Ludwell, Alphington to Whitestone Cross, Savoy Hill and Hoopern.”

The key consideration therefore in respect of the application proposal in terms of its acceptability from a policy context is considered to be –

- a) whether it would harm the landscape setting of the city by virtue of its impact upon the local distinctiveness and character of the area, and
- b) if it is determined that there is harm in this respect, whether taking into account other material considerations, such as the absence of a 5yr housing land supply, that harm/adverse impact significantly and demonstrably outweighs the benefits of the proposal in terms of the provision of much needed housing to meet identified needs.

Therefore a case specific assessment of the harm/impact arising from the scheme is required. The explanatory text to policy CP16 states the following in respect of the Topsham Gap –

“The strategic gap between Topsham and Exeter is also particularly important in that it forms an open break between the two settlements, thus preventing their coalescence, whilst also protecting Topsham’s attractive setting. Whilst this area has a low intrinsic landscape value, the role it plays makes it sensitive to development.”

The site forms does form part of the ‘Topsham Gap’ and whilst it is located more towards the norther fringes of the town it still contributes to the sense of separation from Exeter as part of the more open countryside to the north of Topsham. In terms of the Exeter Fringes Landscape Sensitivity and Capacity Study 2007 the land forms part of land parcel 21 which is identified as being of ‘medium’ landscape sensitivity. The site is also one of those assessed in the Visual Land Parcel Evaluation for Potential Residential Sites in Exeter (Sept



2013) as site no 68. The assessment of this site concludes that does not make an important contribution to the visual amenity of the urban fringe, and has limited impact in views both of, and from the site. In terms of visual value and susceptibility the site is evaluated as being low and medium/low respectively, with no distinct features other than the hedge site boundaries. It is also identified as being of very low visual sensitivity.

Notwithstanding the above it is fact that the scheme would result in development of part of the Topsham gap and landscape setting around Topsham, and would consequently harm the character of part of it. However, the development of this small site would not in itself lead to any material coalescence between the two settlements. Its visual sensitivity is identified as low and in the context of the character of the immediate vicinity of the site, and the fact that land adjoining the site on the other side of the railway line has recently been granted permission for residential development on appeal, it is not considered that this proposal would have a significant urbanising effect. There would still remain open land between the site and the Motorway and therefore whilst the 'gap' would be eroded its function in respect of preventing coalescence in terms of policy CP16 would be maintained and the remaining gap would continue to serve its purpose of separation. In this context the harm to the landscape setting arising from this particular proposal is considered minimal.

Even if a contrary view of the proposal with regard to the degree of harm resulting from it on the landscape setting and local distinctiveness and character of the area is adopted, it would be necessary to balance this against the Council's inability to demonstrate a 5 year housing supply. In the recent appeal decision in respect of the Clyst Road site, despite considering that the scheme would not protect the character and local distinctiveness of the strategic gap in that case the Inspector concluded "in the light of the considerable housing shortfall, the contribution that the appeal scheme would make to the supply of housing is an important material consideration that is sufficient to outweigh the adverse effect that would be caused to the character and local distinctiveness of the strategic gap and conflicts with the relevant development plan policies in this instance."

In light of the early stage of the GESP, which has not yet been subject to public consultation in respect of potential site allocations, it is not considered that a refusal of the current proposal on the grounds of prematurity could be sustained. It is necessary therefore to consider the proposal in the context of the adopted Development Plan and the Council's position in respect of its 5 year housing land supply.

Given the above assessment of the merits of the scheme the proposal is considered acceptable from a landscape setting policy perspective.

## 2. Affordable Housing

The application comprises 27 units in total and the affordable housing requirement set out in policy CP7 is for 35% affordable (split 70% social rent/30% intermediate). This equates to 9.45 units, with part units to be dealt with by way of financial contribution as set out in the Council's Affordable Housing SPD. The relevant financial contribution in respect of the 0.45 of a unit calculated in accordance with the SPD is £ 60,322.61. The submitted plans depict 9 units (a mix of 1/2 bed flats, 2/3 bed houses) split 80/20% between social rent (the 7 flats, one of which will be provided as a wheelchair accessible unit) and intermediate (the 2 houses). The affordable housing and associated financial contribution will be secured through S106 obligations.

## 3. Access/Impact on Local Highways and parking provision

The access to the development is provided via a new junction off Newcourt Road in accordance with details that were previously approved as part of the extant outline approval ref 19/0543/OUT. Although the existing hedgerow fronting Newcourt Road will be removed as part of the provision of the access and associated visibility splays a replacement hedgerow will be provided within the site setback behind the new footpath running along the site frontage. This section of Newcourt Road currently has no footpath, so this provision constitutes an improvement in terms of highway safety for all pedestrians using this section of the road.

The application will increase the number of units on the site by 4 dwellings compared to the previously permitted outline application, resulting in a slight increase in traffic on Newcourt Road. The Local Highways Authority has requested a contribution of £250 per dwelling toward sustainable travel measures to mitigate the additional impact and on balance considers the traffic impact to be insignificant. Paragraph 109 of the NPPF states:

*“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

Officers consider there are no highways grounds to refuse the application, as the impacts will not be severe and only constitute a slight increase over what was previously permitted. Facilities will also be provided to ensure safe access is provided for all users.

A total of 67 parking spaces are provided to serve the development (62 residents and 5 visitor spaces). The parking to serve individual properties is predominantly on-plot through a combination of garages and driveways. Those properties without garages are provided with separate cycle storage provision in the form of

sheds within the rear gardens of the properties. The flats are provided with a communal refuse/cycle storage facility.

The Local Highways Authority has recommend conditions which should be added should the application be permitted.

#### 4. Scale, design, impact on character and appearance

The layout has been designed with the central open space as focal point of the development with dwellings arranged around it facing over it provided a high degree of natural surveillance. Parking provided predominantly on-plot ensures that the public realm is not highway dominated and the use of differing road materials within private drives helps to create visual variety and break-up the hard surfaces. The majority of buildings are 2 storey in height which reflects the prevailing character of existing dwellings in the locality. The flats are contained within a 2.5 storey building located to the rear of the site. External materials comprise a mix of brick and render with slate/tile roofs apart from a single thatch roof property as an interesting variation on the road into the development facing the open space. The dwellings themselves are of traditional pitched roof design. Overall the development is considered visually acceptable and appropriate in the context of the character and appearance of the locality generally.

The dwellings have been located appropriate distances off the site boundaries and therefore the impact on the amenity of surrounding properties is considered acceptable. Setting the buildings an appropriate and fair distance off the boundary with the adjoining site (which has outline planning permission) provides the opportunity, with a similar approach to the design of the detailed layout of that site, to achieve appropriate privacy distances between dwellings.

Within the site itself, negotiations have secured revised plans that have satisfactorily addressed some minor concerns about the relationship between dwellings and the provision of adequate external amenity spaces. The dwellings are all considered acceptable in terms of both internal and external space standards.

#### 5. Impact on Heritage Assets

The submitted method statement for a programme of archaeological work has been considered and the Heritage Officer is satisfied on the basis of this that there is no archaeological constraints on the principle or layout of the proposed development. There are no other heritage assets that will be affected by the proposal and therefore in this respect the scheme is considered acceptable provided it is implemented in accordance with the submitted method statement.

## 6. Impact on Trees and Biodiversity

Aside from the boundary hedgerows the site does not contain any significant trees or landscaping features. Whilst the hedgerow fronting Newcourt Road will be removed as part of the new access, a replacement hedgerow is proposed on the development side of the new access/footpath. The other hedgerows forming the boundaries of the site will be retained as part of the development with additional native planting to fill in any gaps, whilst a new hedgerow is proposed along the railway boundary inside a 2.4m high acoustic fence.

A Biodiversity Management and Enhancement Plan (BMEP) has been submitted in support of the application which identifies measures to both protect and enhance biodiversity on the site, measures include a total of 27 bat/bird boxes integrated within the buildings, dormice boxes to be agreed with Natural England as part of the statutory licensing process. The implementation of the development in accordance with the submitted BMEP can be secured through an appropriate condition.

This development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature of the development it has been concluded that an AA is required in relation to potential impact on the relevant SPA's. 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 CIL collected in respect of the development being allocated to funding the mitigation strategy.

## 7. Flood Risk and Surface Water Management

The revised submitted Flood Risk Assessment (FRA) and Drainage Strategy Report concludes that the site is located within Flood Zone 1 and is therefore a very low risk of flooding from rivers or sea and not at risk from surface water flooding. Therefore the site is considered suitable for residential development in this respect.

The site is generally unsuitable for the use of soakaways due to ground conditions and therefore it is proposed to discharge surface water runoff from the site to the existing surface water sewer in Newcourt Road. The discharge will be controlled to correspond to the existing greenfield scenario utilising storm water attenuation tanks and limited areas of permeable paving on communal driveways. It states that this strategy is the same as that approved in the previous outline application granted on the site and has been agreed with South West Water.

DCC as the LLFA objected to the initial FRA and Drainage Strategy. Following negotiations revised information, including a revised FRA and Drainage Strategy, has been submitted. Based on this revised information the LLFA have confirmed that the approach is now acceptable and have withdrawn their initial objection and recommended a condition relating to the details to manage surface water during the construction phase.

#### 8. Sustainable Construction and Energy Conservation

In line with Core Strategy policy a condition is proposed relating to sustainable construction to achieve a betterment in relation to the Building Regulations.

#### CIL/S106

The development is CIL liable and a S106 agreement will be required to secure the affordable housing provision (35% of the total number of dwellings to be provided, including financial contribution in lieu of part unit), open space (provision, public access and maintenance), and a financial contribution towards enhanced GP facilities/provision in the locality.

The request from the Royal Devon and Exeter NHS Foundation Trust for a financial contribution to be secured through a S106 agreement is one of a number of similar requests submitted by the Trust in respect of recent residential applications under consideration by the Council. Officers have responded generically to these requests outlining why it is considered that they are not considered to meet the necessary tests relating to S106 obligations, and consequently are not being sought in connection with these developments.

The development will result in additional population in the locality which will create additional demand for GP services. Given that the existing GP provision in the locality is already at over-capacity the requested S106 financial contribution towards enhanced provision to meet the demand generated by the proposed development is considered justified in terms of the relevant tests to be applied to requested contributions.

### **17.0 Conclusion**

The site already has a valid outline permission for residential development. The Council is still unable to demonstrate a 5 year housing land supply and the proposal will make a contribution towards housing delivery. The development is considered acceptable in terms of its design/amenity and transportation impacts, and sustainable in terms of its location. Therefore, the officer recommendation is one of approval as set out below.

**18.0 RECOMMENDATION** Dual Recommendation as set out below with B) only applying in the event of the failure to complete the S106 Agreement within the prescribed timeframe: -

**A) DELEGATE TO CITY DEVELOPMENT MANAGER TO GRANT PERMISSION SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO SECURE THE FOLLOWING:**

- Affordable housing, including financial contribution in lieu of part unit
- Open space provision, maintenance and public access in perpetuity
- Contribution of £11,322 towards enhanced GP facilities/provision in the locality.
- £250 per dwelling towards sustainable travel measures in the area.
- £3,000 Traffic Regulation Order to extend 20mph zone into the development.
- All S106 contributions should be index linked from the date of resolution.

And the following conditions:

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

Reason: To ensure compliance with sections 91 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 1st April, 16th June and 10th July 2020 (including dwg. nos. 0702-101, 0702-102 Rev A, 0702-103 Rev A, 0702-104 Rev A, 0701-105 Rev A, 0702-106 Rev A, 0702-107 Rev A, 0702-108 Rev A, 0702-109 Rev A, 0702-110 Rev A, 0702-111, 0702-112, Rev A, 0702-113, Topsham-C-100\_002-A- Proposed Site Sections Rev A, 3274\_L\_LMP\_0\_01 Rev H, 3274\_L\_LMP\_3\_01 Rev B, 3274\_L\_LMP\_3\_02 Rev B, Planting Schedule Rev A, 12952/P05, Garden Areas Schedule, Parking Matrix, 0702-300, 0702-301, 0702-302, 0702-303, 0702-304, 0702-305, 0702-306, 0702-307, 0702-308, 0702-309, 0702-310, 0702-311, 0702-312, 0702-313, 0702-314, 0702-315, 0702-316, 0702-317, 0702-318, 0702-319, 0702-320, and 0702-321) as modified by other conditions of this consent.

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

3) 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 the details specified in the Arboricultural Impact Assessment Report prepared by Aspect Tree Consultancy ref 05400 AIA 20.03.20 and accompanying drawing no. 05400 TPP 23.03.20. 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.

4) Pre-commencement condition: 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 monitor and control the emission of dust and dirt during construction.
- h) No burning on site during construction or site preparation works.
- i) Measures to monitor and minimise noise/vibration nuisance to neighbours from plant and machinery.
- j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.
- k) No driven piling without prior consent from the LPA.

Reason for pre-commencement condition: In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.

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

5) Pre-commencement condition: Before commencement of construction of the development hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO<sub>2</sub> emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO<sub>2</sub> saving 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 for Pre-commencement condition: In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15.

6) Pre-commencement condition: Prior to the commencement of the development hereby permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.

Reason for Pre-commencement condition: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that building operations are carried out in a sustainable manner.

7) Pre-commencement condition: 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. 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 for pre-commencement condition: 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 and a plan needs to be demonstrated prior to the commencement of any works to ensure that surface water can be managed suitably without increasing flood risk downstream, negatively affecting water quality downstream or negatively impacting on surrounding areas and infrastructure.

8) The development hereby approved shall be implemented and maintained strictly in accordance with the submitted Flood Risk Assessment & Drainage Strategy Report dated July 2020 Rev A prepared by Spring Design.

Reason: To ensure that the scheme is implemented in accordance with an agreed framework and drainage strategy in the interests of ensuring that the drainage impacts of the proposal are acceptable and sustainable.

9) 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.

10) The development hereby approved shall be implemented in accordance with the provisions and mitigation measures contained within the submitted Ecological Assessment Report Ref 12952\_R01\_RR-MM and the Biodiversity Management and Enhancement Plan Report Ref 12952\_R02c\_JP\_HM dated 24th March 2020 prepared by Tyler Grange (as updated by the Bat and Bird Box location plan drawing no. 12952/P05 dated July 2020). Thereafter the mitigation measures specified shall be maintained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the scheme is implemented to protect the existing ecological interest of the site through appropriate mitigation and to enhance the ecological value of the site.

11) The development hereby approved shall be implemented in accordance with the submitted 'Method Statement for a programme of Archaeological Work' prepared by AC archaeology report ref no: ACD2231/1/1 dated March 2020.

Reason - To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.

12) All external lighting comprised in the development shall be installed and maintained in accordance with the specifications set out and specified with the Lighting Impact Assessment prepared by Designs for Lighting report ref no: 1409-DFL-LIA-001 Rev D dated 08.07.2020.

Reason - To minimise the potential for light pollution and create an acceptable residential environment for future occupants of the dwellings.

13) None of dwellings comprising plots 9 to 20 shall be occupied until the mitigation measures outlined in Clarke Saunders's Acoustic Design Statement (report ref: AS11066.200326.R2.3, dated 26.0.20), including the specific boundary treatments referred to in paragraphs 4.8.7 and 4.8.8, have been implemented in full and evidence that the mitigation measures have been implemented has been provided to the Local Planning Authority. Mitigation measures shall be maintained thereafter.

Reason - To ensure that a satisfactory environment in terms of residential amenity and protection from noise is created for potential occupants of the properties.

14) In the event of failure of any trees or shrubs, planted in accordance with the landscaping scheme hereby 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.

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

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

Reason: In the interests of the amenity of the occupants of the buildings hereby approved.

16) The dwellings hereby approved shall be designed and built to meet M4 2 of the Building Regulations Access to and Use of Building Approved Document M, 2015 edition.

Reason: To increase choice, independence and longevity of tenure in accordance with Policy CP5 point three of the Exeter Core Strategy.

17) None of the individual dwellings hereby approved shall be occupied until the cycle storage provision to serve that dwelling, as indicate on drawings no's 0702-102 Rev A and 0702-109 Rev A, has been provided and made available for use by the occupant. Thereafter the said cycle storage provision shall be retained for that purpose at all times.

Reason - To ensure that cycle storage facilities are provided to encourage the use of sustainable modes of transport by the future occupants of the properties.

18) No part of the development hereby approved shall be brought into its intended use until the 2.0m footway fronting Newcourt Road, visibility splays, carriageway widening and the vehicular access point as shown on drawing ref. Topsham-C-1300\_001-A - S278 General Arrangement Plan have been provided and maintained in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority and retained for that purpose at all times.

Reason: To provide a safe and suitable access in accordance with paragraphs 108 and 110 of the National Planning Policy Framework and Policy CP9 of the Core Strategy (February 2012).

19) No part of the development shall be occupied until a travel plan (including recommendations/arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the recommendations of the travel plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.

Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 111 of the NPPF.

## **INFORMATIVES**

1) 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).

2) 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.

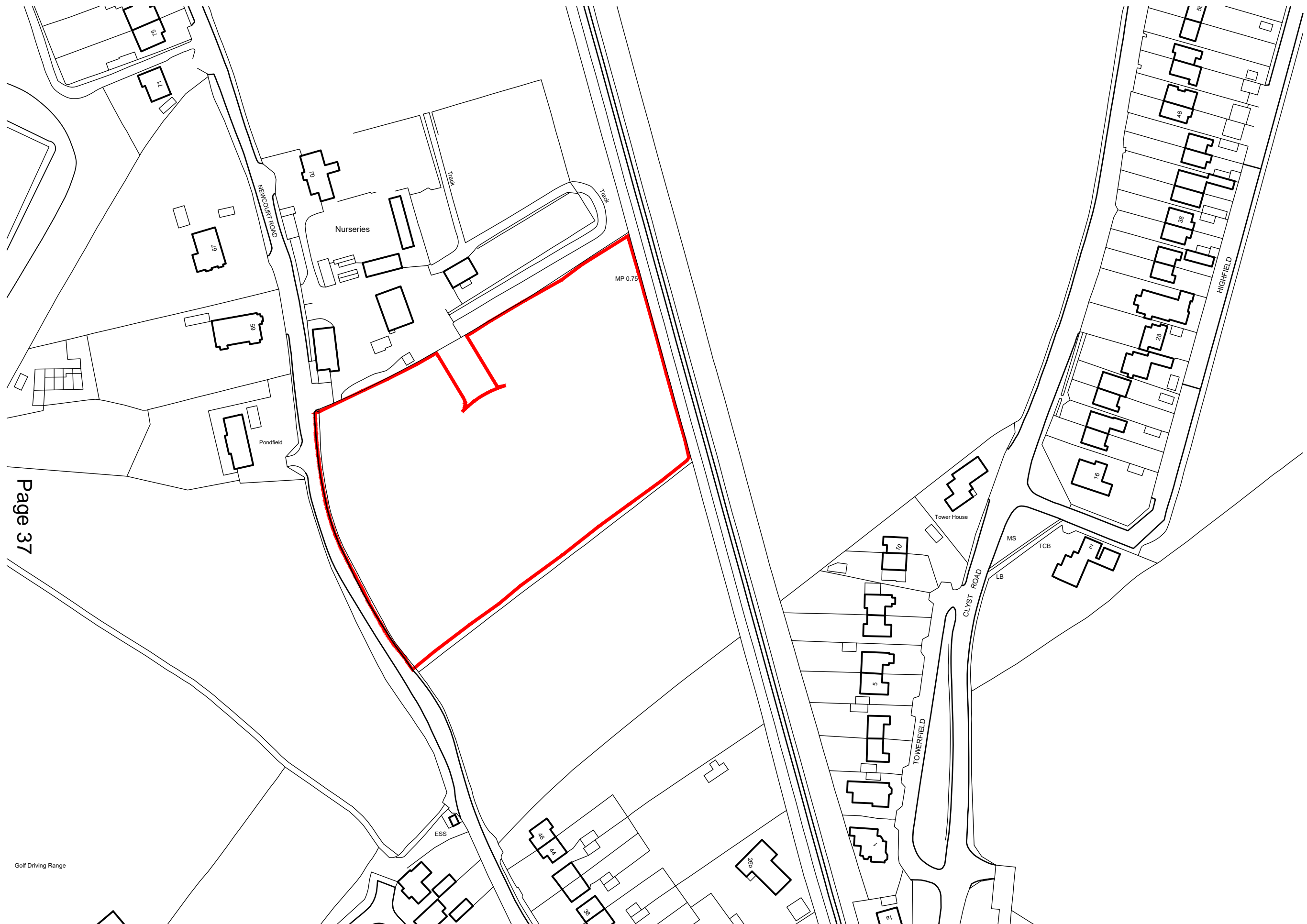
It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (i.e. where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief 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](http://www.exeter.gov.uk/cil).

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

4) In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

5) The applicant's attention is drawn to the requirements of Network Rail set out in their emailed communication dated 29th May 2020.

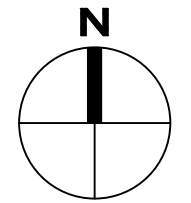
**B) REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IS NOT COMPLETED BY 7 MARCH 2021 OR SUCH EXTENDED TIME AS AGREED BY THE CITY DEVELOPMENT MANAGER**



**LAND OFF NEWCOURT ROAD, TOPSHAM**  
LOCATION PLAN

**DATE** : MARCH 2020  
**DRAWN** : DGK

**DRAWING TITLE** : LOCATION PLAN  
**DRAWING NO** : 0702-101  
**SCALE** : 1:1250 @ A3



The Distillery, The Old Brewery Office Park,  
7 - 11 Lodway, Pill, Bristol BS20 0DH  
T. 01275 813380 E: admin@focusdp.com  
[www.focusdp.com](http://www.focusdp.com)



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**REPORT TO: PLANNING COMMITTEE**

**Date of Meeting: 7 September 2020**

**Report of: Director**

**Title: Delegated Decisions and Planning Report Acronyms**

## **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 the Director (Bindu Arjoon) 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

## **4 PLANNING REPORT ACRONYMS**

The following list explains the acronyms used in Officers reports:

AH	Affordable Housing
AIP	Approval in Principle

BCIS	Building Cost Information Service
CEMP	Construction Environmental Management Plan
CIL	Community Infrastructure Levy
DCC	Devon County Council
DCLG	Department for Communities and Local Government: the former name of the Ministry of Housing, Communities & Local Government
DfE	Department for Education
DfT	Department for Transport
dph	Dwellings per hectare
ECC	Exeter City Council
EIA	Environment Impact Assessment
EPS	European Protected Species
ESFA	Education and Skills Funding Agency
ha	Hectares
HMPE	Highway Maintainable at Public Expense
ICNIRP	International Commission on Non-Ionizing Radiation Protection
MHCLG	Ministry of Housing, Communities & Local Government
NPPF	National Planning Policy Framework
QBAR	The mean annual flood: the value of the average annual flood event recorded in a river
SAM	Scheduled Ancient Monument
SANGS	Suitable Alternative Natural Green Space
SEDEMS	South East Devon European Sites Mitigation Strategy
SPA	Special Protection Area
SPD	Supplementary Planning Document
SPR	Standard Percentage Runoff
TA	Transport Assessment
TEMPro	Trip End Model Presentation Program
TPO	Tree Preservation Order
TRO	Traffic Regulation Order
UE	Urban Extension

**Bindu Arjoon**  
**Director**



**All Planning Decisions Made and Withdrawn Applications  
between 18/06/2020 and 26/08/2020**

<b>Alphington</b>	
<b>Delegated Decision</b>	
Application Number:	20/0451/FUL
Delegation Briefing:	18/06/2020
Decision Type:	Permitted
Date:	13/07/2020
Location Address:	114 Broadway Exeter Devon EX2 9NT
Proposal:	Enclosure of covered porch area.
<b>Delegated Decision</b>	
Application Number:	20/0522/PD
Delegation Briefing:	
Decision Type:	Prior Approval Not Required
Date:	18/06/2020
Location Address:	68 Blenheim Road Exeter Devon EX2 8SE
Proposal:	Single storey rear extension measuring 4.5m (depth) x 3.5m (maximum height) x 2.4m (eaves height) to replace existing conservatory.
<b>Delegated Decision</b>	
Application Number:	20/0600/FUL
Delegation Briefing:	11/06/2020
Decision Type:	Permitted
Date:	07/07/2020
Location Address:	28 Newhayes Close Exeter Devon EX2 9JN
Proposal:	Single storey rear extension.
<b>Delegated Decision</b>	
Application Number:	20/0605/CTY
Delegation Briefing:	
Decision Type:	Raise No Objection
Date:	29/07/2020
Location Address:	3-4 Oak Business Units Thorverton Road Exeter Devon EX2 8FS
Proposal:	Change of use from a bale distribution centre and storage centre to treatment consisting of manual sorting, separation, screening, baling, shredding, crushing or compaction of waste into different components for storage, disposal or recovery and updated site layout plan at Plot 4, Thorverton Road, Exeter, EX2 8FS
<b>Delegated Decision</b>	
Application Number:	20/0630/FUL
Delegation Briefing:	25/06/2020
Decision Type:	Permitted
Date:	18/08/2020
Location Address:	20 Chudleigh Road Exeter Devon EX2 8TU
Proposal:	Demolition of outbuilding and replacement with new outbuilding.
<b>Delegated Decision</b>	
Application Number:	20/0638/DIS
Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged
Date:	21/07/2020
Location Address:	10 Myrtle Close Exeter Devon EX2 8UX
Proposal:	Discharge of Condition 3 (Materials).

<b>Delegated Decision</b>	
Application Number: 20/0648/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 18/06/2020
Location Address: 21 Edwin Road Exeter Devon EX2 8JF	
Proposal: Single storey rear extension in line with existing rear outbuildings.	
<b>Delegated Decision</b>	
Application Number: 20/0675/FUL	Delegation Briefing: 02/07/2020
Decision Type: Permitted	Date: 24/07/2020
Location Address: 12 St Michaels Close Exeter Devon EX2 8XH	
Proposal: Ground floor rear extension	
<b>Delegated Decision</b>	
Application Number: 20/0717/FUL	Delegation Briefing: 02/07/2020
Decision Type: Permitted	Date: 03/08/2020
Location Address: 34 Shillingford Road Exeter Devon EX2 8UB	
Proposal: Change of materials on external finishes (from what was proposed and approved on recent application ref: 20/0577/LPD)	
<b>Delegated Decision</b>	
Application Number: 20/0766/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 22/07/2020
Location Address: 114 Broadway Exeter Devon EX2 9NT	
Proposal: Single storey rear extension extending a maximum 4m from rear elevation, height to eaves 2.44m and maximum overall height 3.56m.	
<b>Delegated Decision</b>	
Application Number: 20/0787/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 06/08/2020
Location Address: Fursdon Clapperbrook Lane Exeter Devon EX2 8TE	
Proposal: Formation of new access and hardstanding.	
<b>Delegated Decision</b>	
Application Number: 20/0978/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/08/2020
Location Address: Ewhurst Little Johns Cross Hill Exeter Devon EX2 9PL	
Proposal: Fell three Poplar trees.	

<b>Delegated Decision</b>	
Application Number:	20/1029/LPD
Decision Type:	Was lawful use
Location Address:	Exe View 74 Chudleigh Road Exeter Devon EX2 8TZ
Proposal:	Alterations to rear extension and formation of pitched roof for provision of rear dormer.

### Duryard And St James

<b>Committee Decision</b>	
Application Number:	19/1215/FUL
Decision Type:	Permitted
Location Address:	Hickling Cottage Taddyforde Estate Exeter Devon EX4 4AT
Proposal:	Change of use of ancillary residential accommodation outbuilding to new separate dwellinghouse

<b>Delegated Decision</b>	
Application Number:	20/0200/FUL
Decision Type:	Permitted
Location Address:	1 Kilbarran Rise Exeter Devon EX4 4AA
Proposal:	Two storey side extension.

<b>Delegated Decision</b>	
Application Number:	20/0219/CAT
Decision Type:	Permitted
Location Address:	62 Velwell Road Exeter Devon EX4 4LD
Proposal:	Cherry: FellYew: Prune to give 1.5m clearance to building

<b>Committee Decision</b>	
Application Number:	20/0284/FUL
Decision Type:	Permitted
Location Address:	Existing Car Park D University Of Exeter (East Of Amory Building) Exeter
Proposal:	Construction of a six-storey research and education building includes office space, a 400 seat auditorium, 16 seminar rooms, a student project workshop, 90 seat think space, computer labs, PGR study centre, research laboratories, meeting rooms, break-out space, quick service restaurant, social study space and landscaping.

<b>Delegated Decision</b>	
Application Number:	20/0316/PDJ
Decision Type:	Prior Approval Required and Granted
Location Address:	3 The Courtyard 48 New North Road Exeter Devon EX4 4EP
Proposal:	Prior approval application for change of use of third floor office (B1) to 3 bedroom flat (C3).

<b>Delegated Decision</b>	
Application Number: 20/0416/FUL	Delegation Briefing: 25/06/2020
Decision Type: Permitted	Date: 20/07/2020
Location Address: 11 The Courtyard 48 New North Road Exeter Devon EX4 4EP	
Proposal: Conversion of two bedroom flat into two 1 bedroom flats.	
<b>Delegated Decision</b>	
Application Number: 20/0556/FUL	Delegation Briefing: 28/05/2020
Decision Type: Permitted	Date: 19/06/2020
Location Address: 4 Oxford Road Exeter Devon EX4 6QU	
Proposal: Installation of photovoltaics to main roof of house on garden elevation.	
<b>Delegated Decision</b>	
Application Number: 20/0557/LBC	Delegation Briefing: 28/05/2020
Decision Type: Permitted	Date: 19/06/2020
Location Address: 4 Oxford Road Exeter Devon EX4 6QU	
Proposal: Installation of photovoltaics to main roof of house on garden elevation.	
<b>Delegated Decision</b>	
Application Number: 20/0582/FUL	Delegation Briefing: 28/05/2020
Decision Type: Refuse Planning Permission	Date: 19/06/2020
Location Address: 4 Oxford Road Exeter Devon EX4 6QU	
Proposal: Installation of Electric Vehicle Charging Station.	
<b>Delegated Decision</b>	
Application Number: 20/0583/LBC	Delegation Briefing: 28/05/2020
Decision Type: Refuse Planning Permission	Date: 19/06/2020
Location Address: 4 Oxford Road Exeter Devon EX4 6QU	
Proposal: Installation of Electric Vehicle Charging Station.	
<b>Delegated Decision</b>	
Application Number: 20/0585/FUL	Delegation Briefing: 30/07/2020
Decision Type: Permitted	Date: 24/08/2020
Location Address: 94 Wrefords Lane Exeter Devon EX4 5BS	
Proposal: Off-road parking and hardstanding and accessibility ramp.	
<b>Delegated Decision</b>	
Application Number: 20/0587/FUL	Delegation Briefing: 28/05/2020
Decision Type: Permitted	Date: 19/06/2020
Location Address: Caroline House Streatham Rise Exeter Devon EX4 4PE	
Proposal: Re-ordering and extension to the existing detached house including replacement of garage.	

<b>Delegated Decision</b>	
Application Number: 20/0601/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 30/06/2020
Location Address: Pennsylvania House Pennsylvania Road Exeter Devon EX4 5BQ	
Proposal: T1 Oak, reduce lateral spread over neighbours garden by up to 2m, max cut diameter 100mm. T2 Maple, reduce height by 6m.	
<b>Delegated Decision</b>	
Application Number: 20/0619/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 02/07/2020
Location Address: 101B Pennsylvania Road Exeter Devon EX4 6DT	
Proposal: Statement of Reasons for Tree Preservation Order Application to 70% by vol canopy prune and repeat prune to the same dimensions in 2021/2022 to one Oak tree (T1) and to fell and treat stump to one Oak tree (T2).	
<b>Delegated Decision</b>	
Application Number: 20/0626/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 17/07/2020
Location Address: 15 Pennsylvania Road Exeter Devon EX4 6BP	
Proposal: New external signage.	
<b>Delegated Decision</b>	
Application Number: 20/0656/FUL	Delegation Briefing: 23/07/2020
Decision Type: Permitted	Date: 03/08/2020
Location Address: 94 Wrefords Lane Exeter Devon EX4 5BS	
Proposal: Construction of decking along rear of property for disabled access to rear garden, levelling of tapered garden.	
<b>Delegated Decision</b>	
Application Number: 20/0738/LBC	Delegation Briefing: 16/07/2020
Decision Type: Permitted	Date: 20/08/2020
Location Address: HM Prison Exeter New North Road Exeter Devon EX4 4EX	
Proposal: Install smoke extract louvres in the roof of the house blocks and other buildings.	
<b>Delegated Decision</b>	
Application Number: 20/0754/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 17/07/2020
Location Address: 14 St Sidwells Avenue Exeter Devon EX4 6QW	
Proposal: Alteration to the exterior wall and internal layout changes	

<b>Delegated Decision</b>	
Application Number: 20/0755/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 17/07/2020
Location Address: 16 St Sidwells Avenue Exeter Devon EX4 6QW	
Proposal: Alteration in the layout of the glazed roof panels and repositioning of the Bi-fold doors.	
<b>Delegated Decision</b>	
Application Number: 20/0775/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 09/07/2020
Location Address: The Innovation Centre Rennes Drive Exeter Devon EX4 4RN	
Proposal: Non-material amendment to planning application 20/0022/FUL granted 9 March 2020 including repositioning of building; reduction in overall floor area; minor alterations to rooflights and removal of condenser units.	
<b>Delegated Decision</b>	
Application Number: 20/0793/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 16/07/2020
Location Address: 2 Cowley Lawn New North Road Exeter Devon EX4 4AG	
Proposal: Minor cutting and reshape of Large Turkey Oak.	
<b>Delegated Decision</b>	
Application Number: 20/0817/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 21/07/2020
Location Address: Moberly House Halls Of Residence Lower Argyll Road Exeter Devon EX4 4QS	
Proposal: Discharge of condition 13 (Access) in respect of planning application 17/0724/FUL granted consent 2 February 2018.	
<b>Delegated Decision</b>	
Application Number: 20/0902/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 25/08/2020
Location Address: 3 Thomas Lane Harefield Close Exeter Devon EX4 4AL	
Proposal: Rear extension.	
<b>Delegated Decision</b>	
Application Number: 20/0926/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 25/08/2020
Location Address: 42C Powderham Crescent Exeter Devon EX4 6BZ	
Proposal: Like for like replacement of timber windows.	

<b>Delegated Decision</b>	
Application Number:	20/0941/PD
Decision Type:	Prior Approval Required and Granted
Location Address:	8 Kilbarran Rise Exeter Devon EX4 4AA
Proposal:	Single storey rear extension extending a maximum 8 metres from the rear elevation, height to eaves 2.598 metres and maximum overall height 3.46 metres.

**Exwick**

<b>Delegated Decision</b>	
Application Number:	20/0576/FUL
Decision Type:	Permitted
Location Address:	39 Addison Close Exeter Devon EX4 1SJ
Proposal:	Two storey and single storey rear extension to form ancillary accommodation.

<b>Delegated Decision</b>	
Application Number:	20/0700/TPO
Decision Type:	Permitted
Location Address:	15 Gloucester Road Exeter Devon EX4 2EF
Proposal:	G3 Birch. Fell two southernmost trees of Group G3. Trees' crowns are weighted to west, due to suppression from London Planes G4, and excessively dominate rear garden of 15 Gloucester Road. BS5837 report TH/X972/1113 recommends removal of this line of trees.

<b>Delegated Decision</b>	
Application Number:	20/0734/TPO
Decision Type:	Permitted
Location Address:	Exwick Heights Primary School Exwick Lane Exeter Devon EX4 2FB
Proposal:	English Oak 1324 Declining upper canopy. Dysfunction in stem. Reducing upper canopy by approx. 6m to live canopy at approx. 18m so that tree is no longer within falling distance of high occupancy areas. Beech 1325 Dead Fell Sycamores 1327 Dead Fell Sycamore 1326 Included branch union Reduce stem with tag and paint to 6m to subordinate Ash x 3 G1 Dense ivy Sever ivy

<b>Delegated Decision</b>	
Application Number:	20/0970/LPD
Decision Type:	Was lawful use
Location Address:	11 Canterbury Road Exeter Devon EX4 2EQ
Proposal:	Installation of Rear Dormer





<b>Delegated Decision</b>	
Application Number: 20/0740/FUL	Delegation Briefing: 09/07/2020
Decision Type: Permitted	Date: 31/07/2020
Location Address: 152 Sweetbrier Lane Exeter Devon EX1 3DG	
Proposal: Front and rear extensions and alterations.	
<b>Delegated Decision</b>	
Application Number: 20/0761/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 30/07/2020
Location Address: St Michaels Ce Primary School South Lawn Terrace Exeter Devon EX1 2SN	
Proposal: Fell three trees due to constant complaints from our neighbours in Newcombe Street as the trees are blocking all the light from their properties and gardens. These trees were planted when the school was altered about 13 years ago. They are part of a woodland area which the school use constantly. These three trees have got particularly large and need to come down. They are not being replaced as there are still plenty of trees in this area.	
<b>Delegated Decision</b>	
Application Number: 20/0854/FUL	Delegation Briefing: 23/07/2020
Decision Type: Permitted	Date: 20/08/2020
Location Address: 39 Whiteway Drive Exeter Devon EX1 3AL	
Proposal: Single storey extension and alterations to rear of existing dwelling.	
<b>Delegated Decision</b>	
Application Number: 20/0968/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 06/08/2020
Location Address: 25 Nicholas Road Exeter Devon EX1 3AT	
Proposal: Discharge of Condition 4 (Materials Schedule) pursuant of planning approval ref. 20/0024/FUL dated 30 March 2020.	
<b>Delegated Decision</b>	
Application Number: 20/0972/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/08/2020
Location Address: Selsdon House 9A Mont Le Grand Exeter Devon EX1 2PD	
Proposal: T1 - Magnolia - remove the rear stem touching the wall (target pruning cut near the base)T2 - Magnolia - reduce height by 20%, reshape laterals by 15-20% to balance the form.	



<b>Delegated Decision</b>	
Application Number:	20/0368/FUL
Decision Type:	Permitted
Location Address:	5 Jennifer Close Exeter Devon EX2 4RB
Proposal:	Installation of timber decking to rear elevation and fence (2.4 metres high, 3 metres deep) on boundary with No. 7 Jennifer Close
<b>Delegated Decision</b>	
Application Number:	20/0400/FUL
Decision Type:	Permitted
Location Address:	8 Lower Summerlands Exeter Devon EX1 2LJ
Proposal:	Extension to detached garage, internal alterations to dwelling.
<b>Delegated Decision</b>	
Application Number:	20/0514/FUL
Decision Type:	Permitted
Location Address:	3 To 29 And 60 To 71 Beacon Avenue Exeter Devon EX4 7JF
Proposal:	Rendered external wall insulation, re-roofing and new bin stores.
<b>Delegated Decision</b>	
Application Number:	20/0554/LBC
Decision Type:	Permitted
Location Address:	23 St Leonards Road Exeter Devon EX2 4LA
Proposal:	Replacement rear door.
<b>Delegated Decision</b>	
Application Number:	20/0555/FUL
Decision Type:	Permitted
Location Address:	2 Mount Pleasant Road Exeter Devon EX4 7AB
Proposal:	Alteration and subdivision of three flats to create four flats including replacement roof with higher ridge
<b>Delegated Decision</b>	
Application Number:	20/0580/FUL
Decision Type:	Permitted
Location Address:	5 The Lyndons Lyndhurst Road Exeter Devon EX2 4PT
Proposal:	Proposed pergola on roof terrace.
<b>Delegated Decision</b>	
Application Number:	20/0584/FUL
Decision Type:	Permitted
Location Address:	Laurel Cottage Elmside Exeter Devon EX4 6LN
Proposal:	Single storey side extension.

<b>Delegated Decision</b>	
Application Number: 20/0603/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 07/08/2020
Location Address: Co-operative Belgrave Road Exeter Devon EX1 2LB	
Proposal: Two logo fascia signs, one welcome fascia sign, two projecting signs and window graphics.	
<b>Delegated Decision</b>	
Application Number: 20/0608/LBC	Delegation Briefing: 28/05/2020
Decision Type: Permitted	Date: 25/06/2020
Location Address: 8 Lower Summerlands Exeter Devon EX1 2LJ	
Proposal: Extension to detached garage, internal alterations to dwelling.	
<b>Delegated Decision</b>	
Application Number: 20/0643/DIS	Delegation Briefing:
Decision Type: Condition(s) Partially Approved	Date: 18/06/2020
Location Address: Land Between Belgrave Road And Bampfylde Street Exeter	
Proposal: External works phasing plan	
<b>Delegated Decision</b>	
Application Number: 20/0645/FUL	Delegation Briefing: 02/07/2020
Decision Type: Permitted	Date: 04/08/2020
Location Address: Uplands House Heavitree Road Exeter Devon EX1 2LX	
Proposal: First floor roof terrace with associated alterations.	
<b>Delegated Decision</b>	
Application Number: 20/0679/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 29/06/2020
Location Address: 7 Portland Street Exeter Devon EX1 2EG	
Proposal: Formation of a single storey rear extension. Replacement of existing rear roof dormer with larger dormer.	
<b>Delegated Decision</b>	
Application Number: 20/0680/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 13/07/2020
Location Address: Barnfield House 2 Barnfield Hill Exeter Devon EX1 1SR	
Proposal: T1 Sycamore FellT2 Plum Cut back off path around side of building G1 Bay/Holly/Hazel Reduce to 8ftT3 Sycamore Remove east stemT4 Bay Reduce to 8ft. Remove limbs over shed G2 Sycamores, Bay Fell small Sycamores and all Bay, retaining one SycamoreG3 Apple, Sycamore Fell Sycamore and cut back apple off pathT5 Cypress FellG4 Robinia, Sycamore Fell 1 Sycamore and 1 Robinia damaging wall. Crown raise over car parking to gutter level on house.	

<b>Delegated Decision</b>	
Application Number: 20/0697/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 29/07/2020
Location Address: Unit 2 The Depot Belgrave Road Exeter EX1 2LB	
Proposal: Addition of ATM to the south east elevation fronting Belgrave Road.	
<b>Delegated Decision</b>	
Application Number: 20/0698/CAT	Delegation Briefing:
Decision Type: Withdrawn by Applicant	Date: 02/07/2020
Location Address: 5 Baring Crescent Exeter Devon EX1 1TL	
Proposal: Remove 1x Cherry Tree.	
<b>Delegated Decision</b>	
Application Number: 20/0718/FUL	Delegation Briefing: 09/07/2020
Decision Type: Permitted	Date: 05/08/2020
Location Address: 13 St Leonards Road Exeter Devon EX2 4LA	
Proposal: Alterations to garage, installation of shed, replacement balcony and access stairs and creation of a log store.	
<b>Delegated Decision</b>	
Application Number: 20/0719/LBC	Delegation Briefing: 09/07/2020
Decision Type: Permitted	Date: 05/08/2020
Location Address: 13 St Leonards Road Exeter Devon EX2 4LA	
Proposal: Alterations to garage, installation of shed, replacement balcony and access stairs with creation of a log store, and four replacement windows	
<b>Delegated Decision</b>	
Application Number: 20/0745/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 07/08/2020
Location Address: Stagecoach Devon Belgrave Road Exeter Devon EX1 2LB	
Proposal: Discharge of planning condition 24 (BREEAM Assessment) of planning permission 16/0405/FUL.	
<b>Delegated Decision</b>	
Application Number: 20/0747/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 30/07/2020
Location Address: 2 St Leonards Place Exeter Devon EX2 4LZ	
Proposal: T1 - Monterey Cypress Dismantle in sections to near ground level.	

<b>Delegated Decision</b>			
Application Number:	20/0786/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/07/2020
Location Address:	45A Victoria Park Road Exeter Devon EX2 4NU		
Proposal:	Copper beech - reduce in height by approx 20%.		
<b>Delegated Decision</b>			
Application Number:	20/0792/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	15/07/2020
Location Address:	56 Belmont Road Exeter Devon EX1 2HG		
Proposal:	Removal of Ash Tree.		
<b>Delegated Decision</b>			
Application Number:	20/0794/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/07/2020
Location Address:	17 Belmont Road Exeter Devon EX1 2HF		
Proposal:	Ash tree - removal of potentially dangerous branches.		
<b>Delegated Decision</b>			
Application Number:	20/0837/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	24/08/2020
Location Address:	2 Victoria Park Road Exeter Devon EX2 4NT		
Proposal:	T1 Lime. Re-pollard.		
<b>Delegated Decision</b>			
Application Number:	20/0977/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	07/08/2020
Location Address:	Grosvenor Cottage 7 Grosvenor Place Exeter Devon EX1 2HJ		
Proposal:	T1 - Laurel - cut to ground level.		
<b>Delegated Decision</b>			
Application Number:	20/0995/CTY	Delegation Briefing:	
Decision Type:	Raise No Objection	Date:	12/08/2020
Location Address:	County Hall Topsham Road Exeter Devon EX2 4QD		
Proposal:	Demolition of existing Devon Lady and associated ramp and steps, with restoration of the area to grass at County Hall, Devon County Council.		

## Pennsylvania

### Delegated Decision

Application Number: 20/0352/FUL Delegation Briefing: 09/04/2020  
Decision Type: Refuse Planning Permission Date: 03/07/2020  
Location Address: 1A Rosebarn Avenue Exeter Devon EX4 6DY  
Proposal: Construction of a four bedroom house, new access to highway and associated works.

### Delegated Decision

Application Number: 20/0477/FUL Delegation Briefing: 23/04/2020  
Decision Type: Permitted Date: 09/07/2020  
Location Address: Morrison Supermarket Prince Charles Road Exeter Devon EX4 7BY  
Proposal: New car valeting pod, located within existing car park.

### Delegated Decision

Application Number: 20/0478/ADV Delegation Briefing:  
Decision Type: Permitted Date: 09/07/2020  
Location Address: Morrison Supermarket Prince Charles Road Exeter Devon EX4 7BY  
Proposal: Signage proposed on all elevations of proposed car valeting unit including hoarding panels; fascia signs and banners.

### Delegated Decision

Application Number: 20/0479/FUL Delegation Briefing:  
Decision Type: Withdrawn by Applicant Date: 18/08/2020  
Location Address: 167 Pinhoe Road Exeter Devon EX4 7HZ  
Proposal: INVALID Conversion of existing offices and storeroom into two storey living accomodation.

### Delegated Decision

Application Number: 20/0497/FUL Delegation Briefing: 02/07/2020  
Decision Type: Withdrawn by Applicant Date: 20/08/2020  
Location Address: 1 Calthorpe Road Exeter Devon EX4 7JS  
Proposal: New garage with roof terrace.

### Delegated Decision

Application Number: 20/0588/FUL Delegation Briefing: 04/06/2020  
Decision Type: Permitted Date: 06/07/2020  
Location Address: 53 Chaucer Grove Exeter Devon EX4 7BX  
Proposal: Single storey rear extension.

<b>Delegated Decision</b>			
Application Number:	20/0595/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	18/06/2020
Location Address:	36 St Johns Road Exeter Devon EX1 2HR		
Proposal:	Construction of rear dormer and rear 3m extension.		
<b>Delegated Decision</b>			
Application Number:	20/0604/FUL	Delegation Briefing:	25/06/2020
Decision Type:	Refuse Planning Permission	Date:	17/08/2020
Location Address:	The Grange Stoke Hill Exeter Devon EX4 7JH		
Proposal:	Replacement of wooden stable block with a 2 bed log cabin annexe.		
<b>Delegated Decision</b>			
Application Number:	20/0612/FUL	Delegation Briefing:	28/05/2020
Decision Type:	Permitted	Date:	19/06/2020
Location Address:	23 Sylvan Road Exeter Devon EX4 6EW		
Proposal:	Construction of single storey infill extension to rear of house.		
<b>Delegated Decision</b>			
Application Number:	20/0632/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	02/07/2020
Location Address:	20 Rosebarn Lane Exeter Devon EX4 5DX		
Proposal:	Oak Tree, reduce crown ~25% to reduce building overhang and balance east/west elevations.		
<b>Delegated Decision</b>			
Application Number:	20/0644/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	18/06/2020
Location Address:	8 Kings Road Exeter Devon EX4 7AS		
Proposal:	Proposed rear and side dormer.		
<b>Delegated Decision</b>			
Application Number:	20/0649/FUL	Delegation Briefing:	25/06/2020
Decision Type:	Permitted	Date:	20/07/2020
Location Address:	16 Rosebarn Avenue Exeter Devon EX4 6DY		
Proposal:	Two story rear extensions, changes to external material finishes and associated alterations.		



<b>Delegated Decision</b>	
Application Number:	20/0712/FUL
Decision Type:	Was lawful use
Location Address:	18 Union Road Exeter Devon EX4 6HZ
Proposal:	Certificate of lawfulness sought for existing use of the property as a small HMO (C4 use class).

<b>Delegated Decision</b>	
Application Number:	20/0741/FUL
Decision Type:	Permitted
Location Address:	6 Armstrong Avenue Exeter Devon EX4 5DJ
Proposal:	Single storey rear extension and alterations including replacement of tile-hanging with render.

**Pinhoe**

<b>Delegated Decision</b>	
Application Number:	19/1095/OUT
Decision Type:	Permitted
Location Address:	Land South Of Hessary And Ellen Tinkham School And North Of Exeter Business Park Exeter EX1 3RW
Proposal:	Outline application for mixed use development in Use Classes B1 (Business) and/or D1 (Non-Residential Institutions) with associated means of access, access road, parking and landscaping (Appearance, landscaping, layout and scale reserved for future consideration).

<b>Delegated Decision</b>	
Application Number:	19/1380/DIS
Decision Type:	Condition(s) Partially Approved
Location Address:	Land Between Hollow Lane And Harts Lane Monkerton Exeter
Proposal:	Discharge of conditions 18 and 23 on planning permission Ref. 19/0287/FUL granted 20 September 2019

<b>Delegated Decision</b>	
Application Number:	20/0367/FUL
Decision Type:	Refuse Planning Permission
Location Address:	Aprillo 3 Pinn Lane Exeter Devon EX1 3QX
Proposal:	Construction of five dwellings.

<b>Delegated Decision</b>	
Application Number:	20/0534/ADV
Decision Type:	Permitted
Location Address:	Stratus House Emperor Way Exeter Devon
Proposal:	Replacement of existing ATM header signage to comply with new HSBC branding.

<b>Delegated Decision</b>			
Application Number:	20/0541/FUL	Delegation Briefing:	18/06/2020
Decision Type:	Permitted	Date:	03/08/2020
Location Address:	Peterhayes Park Lane Exeter Devon EX4 9HQ		
Proposal:	Raised rear platform with steps.		
<b>Delegated Decision</b>			
Application Number:	20/0548/FUL	Delegation Briefing:	25/06/2020
Decision Type:	Permitted	Date:	20/07/2020
Location Address:	10 Fairview Terrace Exeter Devon EX1 3SQ		
Proposal:	Ground and first floor rear extensions.		
<b>Delegated Decision</b>			
Application Number:	20/0566/FUL	Delegation Briefing:	25/06/2020
Decision Type:	Permitted	Date:	03/08/2020
Location Address:	3 Hill Top Road Exeter Devon EX1 3DZ		
Proposal:	Construction of garage on driveway.		
<b>Delegated Decision</b>			
Application Number:	20/0678/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/06/2020
Location Address:	Park House Park Lane Exeter Devon EX4 9HQ		
Proposal:	T1, Sycamore, remove dead wood and two low branches. T2, Maple, reduce crown by 50%. T3, Sycamore, fell. T4, Ash, reduce crown by 50%. T5, Oak, remove one dead branch.		
<b>Delegated Decision</b>			
Application Number:	20/0692/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	03/08/2020
Location Address:	Gipsy Hill Hotel Gipsy Lane Exeter Devon EX1 3RN		
Proposal:	Fell one Cedar Tree.		
<b>Delegated Decision</b>			
Application Number:	20/0694/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	03/08/2020
Location Address:	Gipsy Hill Hotel Gipsy Lane Exeter Devon EX1 3RN		
Proposal:	Species unknown in need of felling. The tree is in very bad condition and in danger of falling. It is the first noticeable item as you enter the site and has very poor amenity value. The majority of the tree does not produce any leaves. It has deep splits cracks down the length of the tree extending into the wood of the tree. The tree is failing and as it is the car park it can cause danger to people and property.		



## Priority

### Delegated Decision

Application Number: 20/0253/FUL Delegation Briefing: 11/06/2020  
Decision Type: Permitted Date: 03/07/2020  
Location Address: 22 Milton Road Exeter Devon EX2 6BN  
Proposal: Two storey side extension and replacement roof.

### Delegated Decision

Application Number: 20/0572/FUL Delegation Briefing: 04/06/2020  
Decision Type: Refuse Planning Permission Date: 06/08/2020  
Location Address: Wonford House Hospital Dryden Road Exeter Devon EX2 5AF  
Proposal: Alterations to existing car park, comprising removal of 8 existing car parking spaces, formation of 19 new car parking spaces

### Delegated Decision

Application Number: 20/0573/FUL Delegation Briefing: 04/06/2020  
Decision Type: Refuse Planning Permission Date: 06/08/2020  
Location Address: Wonford House Hospital Dryden Road Exeter Devon EX2 5AF  
Proposal: Use of contractors' compound area to create 20 car parking spaces

### Delegated Decision

Application Number: 20/0574/FUL Delegation Briefing: 18/06/2020  
Decision Type: Permitted Date: 06/08/2020  
Location Address: Wonford House Hospital Dryden Road Exeter Devon EX2 5AF  
Proposal: Creation of new contractors' compound with 9 car parking spaces to serve Wonford House

### Delegated Decision

Application Number: 20/0594/FUL Delegation Briefing: 04/06/2020  
Decision Type: Permitted Date: 09/07/2020  
Location Address: 12 Salmonpool Lane Exeter Devon EX2 4SN  
Proposal: Single storey rear extension.

### Delegated Decision

Application Number: 20/0651/TPO Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 02/07/2020  
Location Address: 39 Veysey Close Exeter Devon EX2 6AS  
Proposal: Large Sycamore tree in garden hedge, crown reduction.

<b>Delegated Decision</b>	
Application Number: 20/0683/FUL	Delegation Briefing: 11/06/2020
Decision Type: Permitted	Date: 03/07/2020
Location Address: 11 Chaucer Avenue Exeter Devon EX2 6BR	
Proposal: Two storey and single storey rear extensions.	
<b>Delegated Decision</b>	
Application Number: 20/0704/FUL	Delegation Briefing: 25/06/2020
Decision Type: Permitted	Date: 20/07/2020
Location Address: 24 Earl Richards Road North Exeter Devon EX2 6AG	
Proposal: Single storey rear extension, adjacent to the existing extension.	
<b>Delegated Decision</b>	
Application Number: 20/0715/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 08/07/2020
Location Address: 88 Attwyll Avenue Exeter Devon EX2 5HW	
Proposal: Single storey rear extension, extending a maximum 5 metres from the rear elevation, height to eaves 2.85 metres and maximum height 3 metres.	
<b>Delegated Decision</b>	
Application Number: 20/0728/FUL	Delegation Briefing: 02/07/2020
Decision Type: Permitted	Date: 29/07/2020
Location Address: 20 Countess Wear Road Exeter Devon EX2 6LG	
Proposal: Refurbishment and extension of existing dwelling, including new garage, first-floor ensuite, and additional dining space.	
<b>Delegated Decision</b>	
Application Number: 20/0851/PD	Delegation Briefing:
Decision Type: Prior Approval Required and Granted	Date: 25/08/2020
Location Address: 19 Chestnut Avenue Exeter Devon EX2 6DH	
Proposal: Single storey rear extension extending a maximum 4m from rear elevation and max. overall height 3m.	
<b>St Davids</b>	
<b>Delegated Decision</b>	
Application Number: 18/1604/FUL	Delegation Briefing: 20/02/2020
Decision Type: Permitted	Date: 21/07/2020
Location Address: Basements Of 5 (A And B) And 6 New Bridge Street Exeter Devon EX4 3JW	
Proposal: Change of use of lower ground floors to create 9 studio flats, and alterations to existing pedestrian ramp, associated cycle parking and bin store to provide student accommodation or special needs housing (C2 use)	

<b>Delegated Decision</b>	
Application Number:	19/1637/VOC
Decision Type:	Permitted
Location Address:	Exeter College Further Education Hele Road Exeter Devon EX4 4JS
Proposal:	Construction of three storey extension to southern elevation of the existing Hele Building to deliver a new Digital and Data Centre (Institute of Technology) (Use Class D1), together with associated landscaping and a revised parking layout. (Variation of Condition 2 - Minor Material Amendments to elevations, blue/green roof, roof lights and landscaping).
<b>Delegated Decision</b>	
Application Number:	19/1714/FUL
Decision Type:	Permitted
Location Address:	Unit 3 And 4 Maclaines Warehouse Haven Road Exeter Devon EX2 8GR
Proposal:	Change of use to offices, and alterations including replacement windows and external staircase.
<b>Delegated Decision</b>	
Application Number:	19/1715/LBC
Decision Type:	Permitted
Location Address:	Unit 3 And 4 Maclaines Warehouse Haven Road Exeter Devon EX2 8GR
Proposal:	Change of use to offices, and alterations including replacement windows and external staircase.
<b>Delegated Decision</b>	
Application Number:	20/0006/DIS
Decision Type:	Condition(s) Fully Discharged
Location Address:	Exeter College Further Education Hele Road Exeter Devon EX4 4JS
Proposal:	Discharge of Conditions 3 (Written Scheme of Archaeological Work), 5 (Waste Audit Statement) and 14 (Noise Impact Assessment) of pp.19/0330/FUL - Construction of three storey extension to southern elevation of the existing Hele Building to deliver a new Digital and Data Centre (Institute of Technology) (Use Class D1), together with associated landscaping and a revised parking layout.
<b>Delegated Decision</b>	
Application Number:	20/0057/FUL
Decision Type:	Refuse Planning Permission
Location Address:	22 Bagshot Avenue Exeter Devon EX2 4RN
Proposal:	Proposed rear and side extension, with construction of basement and internal alterations.

<b>Delegated Decision</b>	
Application Number:	20/0217/FUL
Decision Type:	Permitted
Location Address:	Unit 1 Maclaines Warehouse Haven Road Exeter Devon EX2 8GR
Proposal:	Change of use of first and second floor from light industry and storage (B1/B8 use) to bar (A4 use) and brewery office (B1 use)
<b>Delegated Decision</b>	
Application Number:	20/0218/LBC
Decision Type:	Permitted
Location Address:	Unit 1 Maclaines Warehouse Haven Road Exeter Devon EX2 8GR
Proposal:	Internal alterations to form new staircases in existing openings with alterations to internal windows and doors.
<b>County Decisions</b>	
Application Number:	20/0329/LPD
Decision Type:	Was lawful use
Location Address:	Morwenna Court 60B St Davids Hill Exeter Devon EX4 4DS
Proposal:	Internal modifications and refurbishment to create reconfigured supported housing and associated ancillary areas for up to 16 persons
<b>Delegated Decision</b>	
Application Number:	20/0366/DIS
Decision Type:	Condition(s) Fully Discharged
Location Address:	Exeter College Further Education Hele Road Exeter Devon EX4 4JS
Proposal:	Discharge of Condition 15 (Material Samples) of pp.19/0330/FUL - Construction of three storey extension to southern elevation of the existing Hele Building to deliver a new Digital and Data Centre (Institute of Technology) (Use Class D1), together with associated landscaping and a revised parking layout.
<b>Delegated Decision</b>	
Application Number:	20/0410/FUL
Decision Type:	Permitted
Location Address:	89 St Davids Hill Exeter Devon EX4 4DW
Proposal:	Single storey rear extension.
<b>Delegated Decision</b>	
Application Number:	20/0489/FUL
Decision Type:	Permitted
Location Address:	162-163 Fore Street St Davids Exeter Devon EX4 3AT
Proposal:	Change of use of premises from theatre and bar to public bar (Use Class A4).

<b>Delegated Decision</b>			
Application Number:	20/0502/FUL	Delegation Briefing:	28/05/2020
Decision Type:	Permitted	Date:	24/06/2020
Location Address:	9A Cathedral Close Exeter Devon EX1 1EZ		
Proposal:	Change of use of offices (B1) to dwelling (C3).		
<b>Delegated Decision</b>			
Application Number:	20/0503/LBC	Delegation Briefing:	28/05/2020
Decision Type:	Permitted	Date:	24/06/2020
Location Address:	9A Cathedral Close Exeter Devon EX1 1EZ		
Proposal:	Change of use of offices (B1) to dwelling (C3).		
<b>Delegated Decision</b>			
Application Number:	20/0636/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	18/06/2020
Location Address:	27 Princesshay Exeter Devon EX1 1GE		
Proposal:	Replacement of shopfront signage and backlight visual display within shop.		
<b>Delegated Decision</b>			
Application Number:	20/0658/LBC	Delegation Briefing:	09/07/2020
Decision Type:	Permitted	Date:	24/08/2020
Location Address:	Flat 7 12 Friars Walk Exeter Devon EX2 4AY		
Proposal:	Overhaul and replacement of 3 timber-framed single-glazed sash windows (Retrospective).		
<b>Delegated Decision</b>			
Application Number:	20/0699/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	14/08/2020
Location Address:	21-22 Queen Street Exeter Devon EX4 3SH		
Proposal:	Non-material amendment to planning approval 19/1070/FUL to replace proposed double doors on the side rear elevation of the unit with single door and side vision panel. Add additional high level window and two vents to the same elevation. Relocate previously approved external condenser unit from roof level to the same elevation.		





<b>Delegated Decision</b>	
Application Number:	20/0753/NMA
Decision Type:	Withdrawn by Applicant
Location Address:	35 High Street Exeter Devon EX4 3LN
Proposal:	Addition of a spa, fitness suite and F&B unit at basement level- Re-working of hotel circulation and lightwell to provide greater natural light to the centre of the building- Additional circulation core up to the fifth floor to the south of the lightwell- General amendments to the bedroom layouts- Replacement of fifth-floor restaurant with relocated bedrooms- Relocated plant space
<b>Delegated Decision</b>	
Application Number:	20/0757/NMA
Decision Type:	Permitted
Location Address:	9 Piazza Terracina Haven Road Exeter Devon EX2 8GT
Proposal:	Non materail amendment to planning application 17/0453/FUL granted 25 March 2017 to change the main entrance to the side elevation and timber infill the existing entrance door.
<b>Delegated Decision</b>	
Application Number:	20/0865/NMA
Decision Type:	Permitted
Location Address:	Central Living 74 Paris Street Exeter Devon EX1 2JY
Proposal:	Non material amendment to provide external bin store for cafe in respect of planing application 16/1210/FUL granted 12 April 2017.
<b>Delegated Decision</b>	
Application Number:	20/0867/ADV
Decision Type:	Permitted
Location Address:	Central Living 74 Paris Street Exeter Devon EX1 2JY
Proposal:	Three non-illuminated signs
<b>Delegated Decision</b>	
Application Number:	20/0874/NMA
Decision Type:	Permitted
Location Address:	1 Mary Arches Street Exeter Devon EX4 3FQ
Proposal:	Non-material amendment to Planning Permission Ref. 17/0922/FUL (granted on 10 October 2017) to alter fenestration / external appearance on all elevations
<b>Delegated Decision</b>	
Application Number:	20/0900/CAT
Decision Type:	Permitted
Location Address:	Street Record Northernhay Gate Exeter Devon
Proposal:	Six lapsed lime pollards - repollard.

<b>Delegated Decision</b>	
Application Number:	20/0971/CAT
Decision Type:	Permitted
Location Address:	St Davids Church Of England Primary School Dinham Road Exeter Devon EX4 4EE
Proposal:	T1 - Blue Lawson Cypress - Fell.

<b>Delegated Decision</b>	
Application Number:	20/0999/DIS
Decision Type:	Condition(s) Fully Discharged
Location Address:	46 High Street Exeter Devon EX4 3DJ
Proposal:	Discharge of pre-commencement conditions 3 (Replacement window details), 4 (Method Statement) and 5 (Construction Management Plan) pursuant of listed building consent case ref. 19/0981/LBC dated 17th October 2019.

<b>Delegated Decision</b>	
Application Number:	20/1021/NMA
Decision Type:	Permitted
Location Address:	The Chapel Site Office Lower Coombe Street Exeter Devon EX1 1DX
Proposal:	Non-material asmsendment to planning application 17/1374/FUL granted 16 January 2018 for the introduction of granite setts into forecourt; simplify porch and raise rear boundary fence from 1200mm to 1800mm.

## St Loyes

<b>Delegated Decision</b>	
Application Number:	20/0317/FUL
Decision Type:	Permitted
Location Address:	Former Homebase Ltd Osprey Road Exeter Devon EX2 7XX
Proposal:	Change of use from A1 retail to flexible use as builders merchant or B1c, B2 or B8 uses.

<b>Delegated Decision</b>	
Application Number:	20/0409/FUL
Decision Type:	Permitted
Location Address:	Devon And Cornwall Constabulary Police Training College Alderson Drive Exeter Devon EX2 7HQ
Proposal:	Single storey extension to north side of existing SSU Building.

<b>Delegated Decision</b>	
Application Number: 20/0454/FUL	Delegation Briefing: 21/05/2020
Decision Type: Permitted	Date: 06/07/2020
Location Address: 43 Birchy Barton Hill Exeter Devon EX1 3EX	
Proposal: Construction of new garage and workshop to replace existing garage and car port.	
<b>Delegated Decision</b>	
Application Number: 20/0564/FUL	Delegation Briefing: 02/07/2020
Decision Type: Permitted	Date: 29/07/2020
Location Address: 66 Bishops Way Exeter Devon EX2 7PF	
Proposal: Rear single storey extension.	
<b>Delegated Decision</b>	
Application Number: 20/0627/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 19/06/2020
Location Address: 30 Heath Road Exeter Devon EX2 5JX	
Proposal: Single storey rear extension extending a maximum of 3.6 metres from the rear elevation, height to eaves 2.6 metres and maximum overall height 3.1 metres.	
<b>Delegated Decision</b>	
Application Number: 20/0711/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 04/08/2020
Location Address: Unit A4 Sanderling Court Osprey Road Exeter Devon EX2 7PJ	
Proposal: 1 x Totem Sign as direction signage to Toolstation unit.	
<b>Delegated Decision</b>	
Application Number: 20/0730/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 10/08/2020
Location Address: 1 Blackmore Mews Exeter Devon EX2 5SA	
Proposal: T1 - Ash - Crown reduce by approx 2m in height to suitable growth points (previous cuts). Side prune Western canopy of tree overhanging 1 Blackmore Mews by approx 2m to suitable growth points. Side prune Eastern side of canopy overhanging neighbouring gardens by approx 3m to suitable growth points as branches are dropping into garden where children play. Chip and remove brash. Owner has been advised that the Ash tree is showing signs of ADB and may require removal in the near future, but they only want the management works carried out at present.	

<b>Delegated Decision</b>	
Application Number:	20/0780/TPO
Decision Type:	Permitted
Location Address:	6 Headingley Close Exeter Devon EX2 5UH
Proposal:	T2 - Oak - Crown lift oak over garden for 3.5m ground clearance. Crown reduce remaining crown by approx 2m from branch tip to appropriate pruning point to remove overhang over garden and clear adjacent property.

<b>Delegated Decision</b>	
Application Number:	20/0881/NMA
Decision Type:	Permitted
Location Address:	102 Honiton Road St Loyes Exeter Devon EX1 3EQ
Proposal:	Non-material amendment sought to alter rear extension roof pitch and window design (original application ref. 19/0692/FUL).

<b>Delegated Decision</b>	
Application Number:	20/1027/NMA
Decision Type:	Permitted
Location Address:	43 Birchy Barton Hill Exeter Devon EX1 3EX
Proposal:	Non-material amendment sought to planning approval ref. 20/0454/FUL to change material finish of rear elevation and from a single structure of 30m2 to 2 buildings of 15m2 each.

## St Thomas

<b>Delegated Decision</b>	
Application Number:	20/0395/FUL
Decision Type:	Permitted
Location Address:	35 Okehampton Street Exeter Devon EX4 1DY
Proposal:	Change of use from small HMO (C4) to large HMO for 7 people (Sui Generis).

<b>Delegated Decision</b>	
Application Number:	20/0458/FUL
Decision Type:	Permitted
Location Address:	8 Hampshire Close Exeter Devon EX4 1NA
Proposal:	Single storey rear extension.

<b>Delegated Decision</b>	
Application Number:	20/0613/FUL
Decision Type:	Permitted
Location Address:	Redstones Residential Care Home 8 Surbiton Crescent Exeter Devon EX4 1PB
Proposal:	Change of use from residential care home to single dwelling house (C3 use).

<b>Delegated Decision</b>	
Application Number:	20/0702/FUL
Decision Type:	Permitted
Location Address:	23 Manor Road Exeter Devon EX4 1EN
Proposal:	Replace existing rear kitchen and side return extension, with a single storey wrap-around kitchen extension, to create single kitchen.
Delegation Briefing:	09/07/2020
Date:	20/08/2020
<b>Delegated Decision</b>	
Application Number:	20/0748/CAT
Decision Type:	Permitted
Location Address:	47 Regent Street Exeter Devon EX2 9EH
Proposal:	Crown reduction of an evergreen tree with variegated leaves. crown reduction of approx 1-2 meter, due to excessive shading and overgrown into neighbours garden
Delegation Briefing:	
Date:	30/07/2020
<b>Delegated Decision</b>	
Application Number:	20/1005/CAT
Decision Type:	Permitted
Location Address:	Street Record Pincas Gardens Exeter Devon
Proposal:	1x Holly, 1x Cotoneaster, 1x Sorbus, removal for safety reasons.
Delegation Briefing:	
Date:	05/08/2020
<b>Delegated Decision</b>	
Application Number:	20/1042/ADV
Decision Type:	Permitted
Location Address:	Hidden Hearing Ltd 182 Cowick Street Exeter Devon EX4 1AA
Proposal:	1 x aluminium fascia sign with individually halo illuminated lettering and logo; and 1 x illuminated projecting sign.
Delegation Briefing:	
Date:	21/08/2020
<b>Topsham</b>	
<b>Delegated Decision</b>	
Application Number:	19/0443/DIS
Decision Type:	Condition(s) Partially Approved
Location Address:	Beech Cottage Old Rydon Close Exeter Devon EX2 7JR
Proposal:	Discharge of conditions 3 (Materials), 4 (Levels), 5 (SAP/CO2), and 10 (CEMP) of application no. 18/0652/VOC granted on 9th October 2018.
Delegation Briefing:	
Date:	22/07/2020
<b>Delegated Decision</b>	
Application Number:	19/1770/LBC
Decision Type:	Permitted
Location Address:	74 Fore Street Topsham Exeter Devon EX3 0HQ
Proposal:	Alterations to rear warehouse/storeroom to create additional residential unit
Delegation Briefing:	20/02/2020
Date:	03/08/2020

<b>Delegated Decision</b>			
Application Number:	20/0579/FUL	Delegation Briefing:	28/05/2020
Decision Type:	Permitted	Date:	23/06/2020
Location Address:	196 Lower Wear Road Exeter Devon EX2 7DD		
Proposal:	Two storey side extension.		
<b>Delegated Decision</b>			
Application Number:	20/0614/LBC	Delegation Briefing:	09/07/2020
Decision Type:	Permitted	Date:	25/08/2020
Location Address:	33 Fore Street Topsham Exeter Devon EX3 0HD		
Proposal:	Installation of skylight into kitchen roof.		
<b>Delegated Decision</b>			
Application Number:	20/0622/LBC	Delegation Briefing:	09/07/2020
Decision Type:	Permitted	Date:	05/08/2020
Location Address:	74A Fore Street Topsham Exeter Devon EX3 0HQ		
Proposal:	Replace flat roof over entrance hall and bathroom with new Firestone rubber roof.		
<b>Delegated Decision</b>			
Application Number:	20/0637/FUL	Delegation Briefing:	02/07/2020
Decision Type:	Permitted	Date:	24/07/2020
Location Address:	26 Highfield Clyst Road Topsham Exeter Devon EX3 0DA		
Proposal:	Replacement detached single garage		
<b>Delegated Decision</b>			
Application Number:	20/0663/FUL	Delegation Briefing:	18/06/2020
Decision Type:	Permitted	Date:	17/07/2020
Location Address:	15 Riverside Road Topsham Exeter Devon EX3 0LR		
Proposal:	Remodelling of existing house to include lower ground floor extension, gable extension to the rear, full width extension to the front and loft conversion		
<b>Delegated Decision</b>			
Application Number:	20/0689/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	13/07/2020
Location Address:	18 Monmouth Street Topsham Exeter Devon EX3 0AJ		
Proposal:	Fell one dead Willow.		
<b>Delegated Decision</b>			
Application Number:	20/0695/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	14/07/2020
Location Address:	19 The Strand Topsham Exeter Devon EX3 0AS		
Proposal:	Arbutus unedo / Strawberry Tree, pruning reduction of 20%.		

<b>Delegated Decision</b>	
Application Number: 20/0713/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 20/07/2020
Location Address: 6 Tresillian Gardens Topsham Exeter Devon EX3 0BA	
Proposal: T1 & T2 Lime: Reduce lateral branches by 2-3m and remove epicormic growth to a height of 8m above ground.	
<b>Delegated Decision</b>	
Application Number: 20/0726/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 30/07/2020
Location Address: 2A Elm Grove Road Topsham Exeter Devon EX3 0BW	
Proposal: T1 Thuja, fell.	
<b>Delegated Decision</b>	
Application Number: 20/0727/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 30/07/2020
Location Address: 12 Monmouth Avenue Topsham Exeter Devon EX3 0AF	
Proposal: T1- Ornamental Prunus. Reduce crown.	
<b>Delegated Decision</b>	
Application Number: 20/0731/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 30/07/2020
Location Address: 7 Tresillian Gardens Topsham Exeter Devon EX3 0BA	
Proposal: T1 Lime: Reduce over extended lateral branches by 2-3m and reduce height of tree by 3-4m.T2 Lime: Crown raise to give 3.5m clearance over roadT3 Holly: Fell	
<b>Delegated Decision</b>	
Application Number: 20/0750/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 30/07/2020
Location Address: 30 Elm Grove Road Topsham Exeter Devon EX3 0EQ	
Proposal: Plum tree - fell.	
<b>Delegated Decision</b>	
Application Number: 20/0756/FUL	Delegation Briefing: 09/07/2020
Decision Type: Permitted	Date: 31/07/2020
Location Address: 5 Mount Wear Square Exeter Devon EX2 7BN	
Proposal: Construction of first floor extension over existing ground floor.	
<b>Delegated Decision</b>	
Application Number: 20/0774/FUL	Delegation Briefing: 23/07/2020
Decision Type: Permitted	Date: 17/08/2020
Location Address: 27 Monmouth Street Topsham Exeter Devon EX3 0AJ	
Proposal: Construction of garden office and storeroom.	



<b>Delegated Decision</b>	
Application Number: 20/0782/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 17/07/2020
Location Address: Mansard Parkfield Road Topsham Exeter Devon EX3 0ET	
Proposal: Fell large pine tree in rear garden.	
<b>Delegated Decision</b>	
Application Number: 20/0788/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 17/07/2020
Location Address: Enterprise Globe Lane Topsham Exeter Devon EX3 0EX	
Proposal: Discharge of Condition 5 (Landscaping Scheme) relating to 18/0822/FUL.	
<b>Delegated Decision</b>	
Application Number: 20/0790/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 23/07/2020
Location Address: 478 Topsham Road Exeter Devon EX2 7AJ	
Proposal: Single storey side extension measuring 5m (Depth) x 1.5m (Width) x 3.8m (Height).	
<b>Delegated Decision</b>	
Application Number: 20/0799/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 16/07/2020
Location Address: 11 Denver Close Topsham Exeter Devon EX3 0NB	
Proposal: Creation of a new single-storey extension with internal alterations.	
<b>Delegated Decision</b>	
Application Number: 20/0841/FUL	Delegation Briefing: 16/07/2020
Decision Type: Permitted	Date: 17/08/2020
Location Address: Sandylands Old Rydon Lane Topsham Exeter Devon EX2 7JW	
Proposal: Single storey side extension.	
<b>Total Applications: 190</b>	

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**REPORT TO:** PLANNING COMMITTEE  
**Date of Meeting:** 7 September 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

- 3.1 [19/1169/FUL](#) - **6 Elliott Close**. This was an application for a single storey front extension and extension to bay window.

A planning appeal has been dismissed by the Inspectorate. The Council did not object to the extension of the bay window and the Inspector saw no reason to disagree with this view. The main issue was the effect of the front extension on the character and appearance of the dwelling and the wider area.

The appeal property is a two-storey end of terrace house which is situated in a planned estate containing a mix of house types. Most houses have a modest projecting front door canopy or porch and/or a first-floor bay window feature. Substantive forward projections from the main front walls are not a characteristic of these house types. The houses are also set back from the highway which, in combination with the front elevation treatment, ensures the street has a degree of spaciousness. This spaciousness is an important positive characteristic of the locality.

Owing largely to its corner plot position, the appeal property has more space to the side and front than most houses in the street. However, the position also means the property is particularly prominent when viewed from the two respective cul-de-sac spurs. The proposed front extension would be approximately 2.8m deep and 4m wide with a mono pitch lean to roof. In contrast to the typical modest porch projections, it would appear as a very bulky and incongruous addition that would detract from the simple character of the appeal property and the terrace. Whilst the space available at the front of the property would accommodate the extension, the prominent corner plot position would nevertheless emphasise its appearance as an incongruous feature and it would harmfully erode the important spaciousness of the locality.

The benefits of the proposed additional and reconfigured living accommodation were acknowledged but were not considered to outweigh the identified harm.

- 3.2 [19/1184/FUL](#) - **11 Sheridan Road**. This was an application for a first-floor side extension.

An Inspector has dismissed an appeal for a first floor side extension at 11 Sheridan Road, a two storey semi-detached property occupying a corner plot within a planned estate.

The main issues are the effect of the proposed extension on:

- i) the character and appearance of the host property and the wider area, and
- ii) the living conditions of the occupiers of No 13 Sheridan Road with particular regard to their outlook.

With regards the character and appearance of the host property and the wider area the Inspector considered that owing to its excessive width and lack of set-back, the proposed extension would

appear unduly dominant and disproportionate to the form and character of the original house. The diagonal set back element, which would be particularly prominent due to its high-level and the exposed corner plot position, would also appear awkward and incongruous. The general failure to harmonise with the original house would be detrimental to the visual qualities of the planned street scene. Although it was appreciated the proposed extension was designed with a ridge height lower than the original dwelling, thereby providing a degree of subservience, this alone is insufficient to render the scheme acceptable.

The Inspector concluded that the extension would conflict with Objective 9 and Policy DG1 of the Council's 2005 adopted Local Plan First Review (LP). These seek to ensure that development proposals promote local distinctiveness and contribute to the visual richness and amenity of the townscape

As a result of the height and massing, the extension was considered by the Inspector to have an oppressive and overbearing appearance when viewed from the neighbouring property. Although the Inspector appreciated that the extension was designed so that no window would overlook No 13, the resulting bleakness of the rear elevation arising from this design response adds to its oppressive appearance. Consequently, owing to its inappropriate design, in particular its position, height and massing, it is concluded the proposed extension would have an unacceptably harmful effect on the living conditions of the occupiers of No 13 with particular regard to their outlook and therefore conflicted with Policy.

3.3 [19/1271/FUL](#) - **Charlotte Mews, Pavilion Place**. This was an application for two additional floors on northern and eastern part of building to form 4 new residential units over existing units 5 and 6.

The inspectorate has been dismissed an appeal to add two new floors, to create 4 additional flats, to the rear two storey wing of Charlotte Mews, a large modern red brick building on the corner of the junction between Magdalen Street and Pavilion Place.

It is located within the Southernhay and the Friars Conservation Area. The building has three storeys at the front, dropping to two storeys at the rear. It was originally designed as an office block although some of the office space has since been converted to residential. The surrounding townscape is largely historic. On Magdalen Street, the Grade II\* listed Wynards complex, a group of alms-houses and a chapel, is to the west of the site – along with two other Grade II listed buildings. There is another terrace of Grade II listed buildings to the east. Pavilion Place consists of various rows of small artisans' cottages, which have been locally listed by the Council. A Friends Meeting House (Quakers) is located to the rear, unlisted but nonetheless of some historic interest and value.

The Council refused planning permission for two main reasons. One related to the impact of the proposal on the setting of neighbouring listed buildings and the character and appearance of the conservation area. The other related to the standards of residential amenity on offer.

In respect of the heritage matters, the Inspector agreed with the Council. It was noted that the current building drops down at the rear in order to respect the more modest height of buildings in the vicinity. It was considered that the proposal would result in a building with a height and massing that would dominate the surrounding townscape and harm both the setting of nearby listed buildings and the character and appearance of the wider conservation area. A mansard roof feature would also introduce an incongruous and unsympathetic feature to the locality. In respect of the heritage tests set out in the National Planning Policy Framework, the Inspector concluded that the public benefits of the scheme, short term employment opportunities during construction and 4 additional residential units, did not outweigh the identified harm to designated heritage assets.

With regard to living conditions, the Inspector did not accept all of the conclusions of the Council. It was considered that nearby Bull Meadow Park could compensate for the lack of any amenity space and that a design solution could be found to address bicycle and bin storage facilities. Nonetheless, the Inspector agreed that some of the flats fell short of the Government's national internal space standards and that that would result in poor living conditions for future occupiers.

3.4 [20/0018/FUL](#) - **1 Venny Gardens, Venny Bridge**. This was an application for roof alterations for loft conversion and Velux windows; conversion of garage to hallway and new front door arrangement.

A planning appeal has been dismissed by the Planning Inspectorate.

The Council did not object to the garage conversion and the Inspector saw no reason to disagree with this view. The main issue was the effect of the proposed roof alterations on the character and appearance of the pair of dwellings (no. 1 & 2 Venny Gardens) and the street scene.

Owing to its design, the proposal was considered to have an unacceptably harmful effect on the character and appearance of the dwellings and the street scene, which conflicts with Objective 9 and Policy CP17 of the Core Strategy (2012) and Policy DG1 of the Local Plan First Review (2005). These seeks to ensure development proposals promote local character and distinctiveness, with part (g) of Policy DG1 specifically seeking to ensure that the volume and shape of proposals relates well to adjoining buildings.

The two pairs of semi-detached properties that form Venny Gardens are built to a common design, and have a visually pleasing degree of uniformity. The Inspector considered that the alteration to the roof shape, would create additional high-level bulk to the property and would result in the property having an awkward top heavy appearance which would harmfully erode the symmetry with the neighbouring property.

Whilst the improved living conditions were acknowledged it was not considered to outweigh the resulting harm.

3.5 [20/0045/FUL](#) - **20 Victoria Street**. This was an application for ground and first floor extensions.

An inspector has dismissed an appeal for ground and first floor extensions at 20 Victoria Street, a two storey mid-terraced property with further habitable space within the roof space.

The main issues of this application are the effect of the proposed development on the character and appearance of the host property and the wider area; and the living conditions of occupiers 19 and 21 Victoria Street with particular regard to natural light and outlook.

An earlier scheme for the property was refused planning permission and dismissed on appeal (Our ref. 18/0555/FUL and Appeal ref. APP/Y1110/d/18/3214646). In this appeal the inspector considered the ground floor extension acceptable but the first floor extension was considered an unsympathetic addition to the character of the house as a result of its scale and materials. This application reduced the extent of the extension from 6 metres to 4 metres and the cladding was replaced with brick walls.

The Inspector considered owing to its inappropriate design, in particular its scale and massing, the proposed development would have an unacceptably harmful impact on the character and appearance of the wider area. First floor extensions are notably absent from the neighbouring properties which formed the site's immediate setting and a first floor addition here was considered overdevelopment and visually incongruous. Therefore conflicting with a number of the Council's policies which amongst other things seek to ensure development promotes the local character and distinctiveness.

In the earlier scheme the previous Inspector found again the ground floor extension to be acceptable with regards natural light and outlook for neighbours but considered the first floor extension to cause significant harm to the living conditions of neighbouring occupiers.

The inspector concluded for this proposed development that the first floor extension that as a result of the set back of the windows, the orientation of the site and lack of impinging development, the extension would not degrade the level of natural light to warrant refusal. However, with regards outlook the relationship between the first floor extension and the neighbouring properties would be visually intrusive and cause significant harm to the outlook, particularly to the relevant window of no

21. This unacceptable impact on outlook is contrary to Policy DG4 which seeks to ensure a quality of amenity which allows residents to feel at ease within their homes.

In conclusion, the inspector considered the proposed development to have an unacceptable impact on the character of the property and the wider area and resulted in an unacceptably harmful impact on the outlook of the neighbouring properties.

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

##### **4.1 [18/0580/FUL](#) - Land and Buildings at Pocombe Grange House, Pocombe Bridge.**

Extension and alterations to existing accommodation to create 1no. additional dwelling unit and construction of 2no. new build dwelling houses, landscaping and associated works

##### **4.2 [19/0952/OUT](#) - Land off Tithebarn Lane.**

Proposed residential development of 10 homes with new vehicular access to Tithebarn Lane.

##### **4.3 [19/1676/FUL](#) - St Andrews Yard, Willeys Avenue.**

Demolition of existing single storey business premises and construction of 9no residential apartments along with on-site parking and associated landscaping.

##### **4.4 [20/0465/FUL](#) - 13C St James Road.**

Change of use of building from office (B1 use) to residential (C3 use).

**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