

PLANNING

Date: Monday 21 February 2022
Time: 5.30 pm
Venue: Guildhall, High Street, Exeter

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

Due to the current social distancing restrictions brought about by the Corona Virus outbreak, any members of the public wishing to attend the meeting please contact the Democratic Services Team committee.services@exeter.gov.uk in advance as there is limited capacity for public attendance. **Priority however will be given to those addressing the Committee under the public speaking provisions on the basis of one supporting and one opposing an application.** If you wish to speak under these provisions or have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

The recording of the meeting will be uploaded onto uTube the following day.

Membership -

Councillors Morse (Chair), Williams (Deputy Chair), Bialyk, Branston, Buswell, Denning, Hannaford, Mrs Henson, Lights, Martin, A, Mitchell, M, Moore, D, Sparkes and Sutton

Agenda

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

1 Apologies

To receive apologies for absence from Committee members.

2 Minutes

To approve and sign the minutes of the meeting held on 15 November 2021.

(Pages 5 -
34)

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. 19/1709/FUL - Land at Pinbrook Court, Pinhoe Road/Venny Bridge Road, Exeter**

To consider the report of the Deputy Chief Executive.

(Pages 35
- 66)

6 **List of Decisions Made and Withdrawn Applications**

To consider the report of the Deputy Chief Executive.

(Pages 67
- 136)

7 **Appeals Report**

To consider the report of the Deputy Chief Executive.

(Pages
137 - 152)

8 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 15 March 2022 at 9.30 a.m. The Councillors attending will be Councillors Martin, M. Mitchell and D. Moore.

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 28 March 2022** 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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Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265107.

Planning Acronyms used in the Planning Application Reports are set out below:-

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
TEMPPro	Trip End Model Presentation Program
TPO	Tree Preservation Order
TRO	Traffic Regulation Order
UE	Urban Extension

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PLANNING COMMITTEE

Monday 15 November 2021

Present:-

Councillor Emma Morse (Chair)
Councillors Williams, Bialyk, Branston, Denning, Hannaford, Mrs Henson, Lights, Martin, A, Mitchell, M, Moore, D and Sparkes

Apologies

Councillors Buswell and Sutton

Also Present

Chief Executive & Growth Director, Interim Service Lead for City Development, Assistant Service Lead (Planning), Principal Project Manager and Acting Major Projects Team Leader, Principal Project Manager (Development) (MH), Transport Planning Manager and Democratic Services Officer (HB)

62

MINUTES

The minutes of the meeting held on 11 October 2021 were taken as read, approved and signed by the Chair as correct.

63

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

64

PLANNING APPLICATION NO. 21/1104/FUL - THE HARLEQUIN CENTRE, PAUL STREET, EXETER

The Principal Project Manager and Acting Major Projects Team Leader presented the application for development of two Co-Living (Sui Generis) accommodation blocks, following demolition of existing shopping centre and pedestrian bridge, change of use of upper floors of 21-22 Queen Street to Co-Living (Sui Generis), and all associated works including parking, landscaping, amenity areas, public realm improvements, new pedestrian bridge and provision of heritage interpretation kiosk. *(Revised)*

The Principal Project Manager and Acting Major Projects Team Leader reported the detail of a revised application for the site, permission having been granted previously for a co-living block and hotel on the site, the developer now seeking to replace the hotel with a second block for co-living. He set out a detailed description of the site and surrounding area, including: site photographs, the location of Central and St David's conservation areas, the location of listed and locally listed buildings, and the character of the surrounding built environment. He then presented the proposed scheme, including: layout plans, floor plans, elevations and Landscape and Visual Impact Assessment (LVIA) views.

The report set out the following key issues:-

- the principle of development;

- affordable housing;
- access and impact on local highways and parking provision;
- design and landscape;
- impact on heritage assets;
- residential amenity;
- impact on amenity of surroundings, air quality and trees and biodiversity;
- contaminated land;
- flood risk and surface water management;
- sustainable construction and energy conservation; and
- development plan, material considerations and presumption in favour of sustainable development.

The Principal Project Manager and Acting Major Projects Team Leader set out the following key elements:-

- demolition of existing 1980's shopping centre;
- two blocks of co-living accommodation plus change of use of upper two floors of 21-22 Queen Street into co-living accommodation;
- a total of 383 bedspaces (132 more than previous scheme for co-living block and hotel);
- Block 1 comprising 138 studios and 18 cluster flats with 107 bedrooms;
- Block 2 comprising 133 studios;
- 21-22 Queen Street comprising five studios;
- 20% affordable housing provided with 55 studios and 21 cluster bedrooms with priority to be given to essential local workers;
- provision of a new landscaped square and 'pocket park';
- retention of the ramp with a new interpretation centre beneath to include promotion of the nearby City Wall Scheduled Monument in association with RAMM;
- removal of four trees to facilitate access;
- new pedestrian bridge across Paul Street;
- improved access to City Wall;
- Paul Street narrowed to two lanes with wider foot/cycleways and public cycle parking; and
- the removal of 91 car parking spaces and with the retention of nine spaces for local businesses and two disabled spaces together with two Electric Vehicle car club spaces for co-living use.

The Principal Project Manager and Acting Major Projects Team Leader responded as follows to Members' queries:-

- the proposal for a new footbridge across Paul Street was an improvement on the existing bridge and improved permeability into the Guildhall Shopping Centre, although there were also alternative routes into the Centre;
- the proposals for an active street frontage with windows at ground floor level were positive;
- improved sustainable drainage would be provided in spite of archaeological and contamination constraints;
- the two types of accommodation were student flats and cluster flats. The former had their own kitchenette and bathroom and each cluster flat had a separate kitchen and amenity room to be shared by the residents, the number of bedrooms in each cluster varied between five and six. The rooms were for single occupancy;
- no data available on the national average length of occupancy for Co-living schemes;

- Co-living was new to Exeter, although this type had been built elsewhere, especially in London. It was geared to a particular section of the market, that is, individuals seeking such accommodation in preference to a house in multiple occupation,
- the Section 106 legal agreement would include a management plan and required on-site staff to ensure that the building was well managed and that anti-social behaviour was not a problem. It would require the production of an annual report to monitor the management;
- CP5 did not refer to co-living directly as it was a special form of housing aimed at young adults who would wish to live in a well-managed communal environment who might otherwise live in Houses in Multiple Occupation;
- as the hotel element had been removed there would be less overall number of jobs provided;
- the development included specific rooms for the disabled;
- the development was essentially car free with only minimal parking provision retained including two spaces for disabled use;
- waste and re-cycling had been future proofed with the size of the waste bin stores increased with the revised plans;
- in respect of cycle way provision and highway safety at the junction with Queen Street, the plans would need to fit in with current highway arrangements. Thereafter, changes agreed with the Highway Authority to improve safety would require a Section 278 Agreement under the Highways Act 1980; and
- it would be for the NHS Devon Clinical Commissioning Group to determine the split of the £98,048 financial contribution towards the three health facilities at Barnfield Hill Medical Practice, Southernhay Medical Practice and the St Leonards Medical Centre.

In respect of a question as to how safe access to the site by cars would be achieved and the nature of traffic arrangements for Iron Bridge and the Queen Street/Fore Street junction, the Transport Planning Manager responded that the changes had not been finalised but had been agreed in outline with the developer and would be brought forward under a Section 278 Agreement under the Highways Act 1990 for public works to highways and would also include future changes to Bartholomew Street and shared pedestrian/cycle usage. There would be a balanced benefit for both cyclists and pedestrians in addition to improved public realm.

Chris Dadds spoke in support of the application. He raised the following points:-

- it was the second application for the site following a long period of consultation relating to the principles of re-development, the site constraints and the impacts of the proposals, the previous application having been approved;
- the revised application included two blocks of co-living accommodation and excluded the hotel previously proposed. The two blocks were very similar in scale and location to those approved in 2020. The cluster rooms had been made slightly larger, and the amount of communal space increased;
- the new co-living blocks would contribute to meeting housing needs in the city and to the Council's vision for a Liveable Exeter. The proposals provided for high quality accommodation, within buildings managed 24/7, designed to Passivhaus Principles;
- the majority of the car parking within the basement of the site had been removed, the only car parking now proposed was for local employers, along with two spaces for disabled drivers and two Electric vehicle spaces, which it was anticipated would be occupied by a car club. In addition there would be 280 cycle parking spaces, for residents and visitors;
- had worked closely with officers and other stakeholders relating to the detail of the scheme, including discussions with the Police Liaison Officer, Fire Officer,

the Highways Authority, Environmental Health, the refuse team and Historic England;

- the development was more attractive than previously approved and provided more active frontages to the street and to the city wall and a safe environment for residents and neighbours; and
- accepted that there would be impacts, both on the historic environment and on neighbours but these would be minimised through careful design of the buildings and their active management.

He responded as follows to Member's queries:-

- it was the expectation that both blocks would be managed and monitored by the same management company and that part of the remit was to prevent anti-social behaviour given the transient nature of the occupants;
- there was a minimum of three months tenancy although there was a variety of experiences with co living models across the country with some tenancies shorter than three months. It was not possible to predict the nature of the market with completion of build some two years away;
- the management plan would set out the terms and conditions of tenancy;
- the remit of the management team was to encourage and develop community cohesion and could help residents run and organise events such as yoga, dining clubs etc;
- there would be 14 units catering for the disabled, representing 5% of the total units;
- up to 80% of the market value was the maximum chargeable for the affordable units;
- it was the intention to attract key workers and essential local workers which would be subject to negotiation with the Council in terms of the remaining 20%; and
- there would be no physical contact between the blocks and the City Wall.

The proposal was considered to be a sustainable development when balancing the development plan policies, National Planning Policy Framework 2021 (NPPF) policies, including the presumption in favour of sustainable development in paragraph 11, National Planning Practice Guidance (NPPG), and the constraints and opportunities of the site. A Section 106 legal agreement and conditions were necessary to secure affordable housing, infrastructure contributions and other aspects of the development to make it acceptable in planning terms. The proposed development was considered to be acceptable, bringing heritage benefits and the public benefits. The layout and design of the scheme were very similar to the previously approved application for a co-living block and hotel on the site. However, the scheme was considered to be an improvement over the consented scheme in terms of the quality of the architecture, increased active frontage along Paul Street and sustainability through removal of the public car parking spaces on the site.

Members expressed the following views:-

- it would be for the NHS Devon Clinical Commissioning Group to determine the split of the £98,048 financial contribution towards the three health facilities at Barnfield Hill Medical Practice, Southernhay Medical Practice and the St Leonards Medical Centre;
- the city centre is an ideal location for co-living units with access to many local amenities for the likely cohort of occupiers;
- helps meet the city's housing supply need and will contribute to reducing the 3,200 on the housing waiting list. It is a significant contribution to the housing need in Exeter;

- it will be a re-development of a brown field site;
- those who did secure units could bid for larger accommodation at a later date;
- smaller units have value in that the carbon footprint is significantly less than larger homes;
- the application brings significant contributions as part of the Section 106 Agreement including £175,000 towards public open space, £25,000 to repair and maintain the City Wall, and £45,000 to maintain and upgrade off-site play areas;
- improved landscaping for the area which enhances linkage to the RAMM and the Phoenix;
- there will be a market for this type of accommodation;
- welcome a car free development;
- concern that Policy CP5 does not refer to co-living, that there is no Build to Rent policy and rental levels are unknown;
- St David's has a high level of Purpose Built Student accommodation already and many in the ward are transient. This development does not therefore help achieve a balanced mix of accommodation within the area;
- concerns if pregnancy results in eviction and also the impact on the neighbourhood of potential anti-social behaviour; and
- great need for accommodation for key workers such as NHS staff, bus drivers etc. and, potentially, teachers.

The recommendation was for approval, subject to the conditions as set out in the report.

The recommendation was moved and seconded and, following a vote, was carried.

RESOLVED that, 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:-

- Co-living Management Plan/Monitoring;
- 20% of the dwellings (55 studios and 21 cluster bedrooms) will be affordable private rented with first priority to essential local workers
- £252,546 habitats mitigation;
- £25,000 towards management, maintenance, repair and promotion of City Wall;
- £175,000 for maintenance/upgrade of off-site public open spaces;
- £45,000 for maintenance/upgrade of off-site play areas;
- £98,048 to improve facilities at either Barnfield Hill Medical Practice, Southernhay Medical Practice or St Leonards Medical Centre;
- £10,000 towards traffic regulation orders in the area;
- details of VMS/signage to manage the use of the Guildhall car park
- details of the type of materials used on the highway (section 44 of the Highways Act 1980);
- a Management Plan to ensure no parking is associated with the development and to ensure the operational facilities of the loading bays (in conjunction with the Guildhall);
- rights of access for all users for the new footbridge over the highway; and
- public access to the open space on the site and to the City Wall.

all Section 106 contributions should be index linked from the date of resolution.

the Deputy Chief Executive be authorised to grant planning permission for the

development of two Co-Living (Sui Generis) accommodation blocks, following demolition of existing shopping centre and pedestrian bridge, change of use of upper floors of 21-22 Queen Street to Co-Living (Sui Generis), and all associated works including parking, landscaping, amenity areas, public realm improvements, new pedestrian bridge and provision of heritage interpretation kiosk. (*Revised*), subject also to the following conditions:-

1. Standard Time Limit – Full Planning Permission

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 comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

2. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this consent:

Received 12 July 2021

- B1 Paul Street Elevation (19720-0330 P-00)
- B1 Elevation Courtyard 1 (19720-0331 P-00)
- B1 Elevation Courtyard 2 (19720-0332 P-00)
- B1 Elevation Queen Street 1 (19720-0333 P-00)
- B1 – Northernhay Elevation (19720-0334 P-00)
- B1 Landscape Gardens 1 (19720-0335 P-00)
- B1 Elevation Landscape Gardens 2 (19720-0336 P-00)
- B1 Elevation Landscaped Gardens 3 (19720-0337 P-00)
- B1 Sections 1 of 3 (19720-0350 P-00)
- B1 Sections 2 of 3 (19720-0351 P-00)
- B1 Sections 3 of 3 (19720-0352 P-00)
- GA – Ground Floor Plan (19720-2003 P-00)
- GA – Mezzanine Floor Plan (19720-2004 P-00)
- GA – First Floor Plan (19720-2005 P-00)
- GA – Second Floor Plan (19720-2006 P-00)
- GA – Third Floor Plan (19720-2007 P-00)
- GA – Fourth Floor Plan (19720-2008 P-00)
- GA – Fifth Floor Plan (19720-2009 P-00)
- GA – Roof Plan (19720-2010 P-00)
- B2 Elevation Landscaped Gardens (19720-0342 P-00)
- GA Ground Floor Plan (19720-2103 P-00)
- GA First Floor Plan (19720-2104 P-00)
- GA Second Floor Plan (19720-2105 P-00)
- GA Third Floor Plan (19720-2106 P-00)
- GA Fourth Floor Plan (19720-2107 P-00)
- GA Roof Plan (19720-2108 P-00)
- Stumpery Detail (19720-6001 P-00)
- Landscape Details 2 of 2 (19720-6003 P-00)
- Insect Hotel Detail (19720-6004 P-00)
- Footbridge Sections (19720-6020 P-00)
- Interpretation Centre (19720-6030 P-00)
- Proposed Highway Layout Plan (Paul Street) (0779 PHL-101 J)

- Queen Street/Paul Street General Arrangements (0779 GA-101 D)
- North Street/Paul Street General Arrangements (0779 GA-102 E)

Received 3 September 2021

- Rooftop Softworks Plan (19720-0012 P-01)
- B2 Paul Street Elevation – Block 2 (19720-0340 P-01)
- B2 Northernhay Elevation (19720-0341 P-01)
- B2 Iron Bridge 2 (19720-0343 P-01)
- B2 Iron Bridge Elevation (19720-0344 P-01)
- B2 Northernhay Elevation 2 (19720-0345 P-00)
- Proposed Site Sections (19720-0353 P-01)
- B2 Sections 1 of 2 (19720-0354 P-01)
- B2 Sections 2 of 2 (19720-0355 P-01)
- Streetscenes – Proposed NW & SE Elevations Proposed NW and SE Elevations (19720-0390 P-01)
- Street Scenes – Proposed NE & SW Elevations (19720-0391 P-01)
- GA – Lower Ground Floor Plan (19720-2002 P-01)
- GA Roof Plan (19720-2108 P-01)
- Landscape Details 1 of 2 (19720-6002 P-01)
- Indicative 3D views (19720-6040 1)
- Electrical Services External Lighting Strategy Ground Floor (EHQ-HYD-XX-00-DR-ME-00010 P08)

Received 15 October 2021

- GA Lower Ground Floor Plan (19720-2102 P-04)

Received 27 October 2021

- Softworks Landscape Plan (19720 0011 P-03)

Received 10 November 2021

- Hardworks Landscape Plan (19720 0010 P-04)

Reason: To ensure the development is constructed in accordance with the approved plans, unless modified by the other conditions of this permission.

Pre-commencement Details

3. Programme of Archaeological Work

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

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

4. Contaminated Land

No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason: In the interests of the amenity of the occupants of the buildings hereby approved. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.

5. Surface Water Drainage

No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- a) Detailed proposals for the management of surface water and silt run-off from the site during the demolition and construction phases of the development.

No development hereby permitted, except demolition works, shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- b) A detailed drainage design based upon the submitted Drainage Strategy (Ref. CB1780-Rep01-M; Rev. M; dated 2nd September 2021);
- c) Proposals for the adoption and maintenance of the permanent surface water drainage system; and
- d) A plan indicating how exceedance flows will be safely managed at the site.

The details under a) shall be implemented as approved throughout the demolition and construction phases. No building hereby permitted shall be occupied until the approved details under b) have been implemented, which shall be maintained thereafter in accordance with the approved details under c) and d).

Reason: To ensure that surface water drainage is managed sustainably in accordance with Policy CP12 of the Core Strategy and paragraph 169 of the NPPF (2021). These details are required pre-commencement as specified to ensure that appropriate surface water drainage management systems are in place during the demolition/construction phases and after the development has been completed, and that these systems will be properly maintained to prevent adverse risk to the environment.

6. Foundation Details, Landscaping Formation Levels and Service Trench Routes

No development shall take place within the application site until the following details have been submitted to and approved in writing by the Local Planning Authority:

- the means of construction of the foundations of the buildings;
- landscaping formation levels; and
- service trench routes (including foul drainage).

The details shall be implemented as approved.

Reason: To ensure that disturbance to important archaeological remains is minimised in accordance with saved Policy C5 of the Exeter Local Plan First Review, and that there will be no impact to controlled waters in accordance with saved Policy EN3 of the Exeter Local Plan First Review. These details are required pre-commencement as specified to ensure that no works commence that may impact archaeological remains and controlled waters.

7. Construction and Environmental Management Plan (CEMP)

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

- a) Demolition and construction programme including integration of archaeological tasks from Condition 3.
- b) Protection and monitoring arrangements and measures for the City Wall adjoining the site during the demolition and construction phases taking into account the recommendations of the submitted reports regarding the City Wall (*as referred to in the Heritage Officer's comments dated 20th August 2020 and 6th October 2020 under application ref. 19/1556/FUL*).
- c) The site access point(s) of all vehicles to the site during the demolition and construction phases.
- d) The parking of vehicles of site operatives and visitors during the demolition and construction phases.
- e) The areas for loading and unloading plant and materials during the demolition and construction phases.
- f) Storage areas of plant and materials during the demolition and construction phases.
- g) The erection and maintenance of securing hoarding.
- h) Wheel washing facilities.
- i) Strategy to measure and control the emission of dust and dirt during the demolition and construction phases (including boundary dust monitoring).
- j) No burning on site during the demolition and construction phases, or site preparation works.
- k) Strategy to measure and minimise noise/vibration nuisance to neighbours from plant and machinery during the demolition and construction phases.
- l) Demolition/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.
- m) No driven piling without prior consent of the Local Planning Authority.
- n) Details and timing of any lighting.

The approved document shall be strictly adhered to throughout the demolition and construction phases of the development.

Reason: To ensure that the demolition and construction works are carried out in an appropriate manner to preserve and protect heritage assets, in the interests of the safety and convenience of highway users, and to minimise the impact on the amenity of the properties in the neighbourhood. These details are required pre-commencement as specified to ensure that a plan is in place to ensure that the development works are carried out in an appropriate manner.

8. Waste Audit Statement

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: 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 waste generated during demolition and construction is managed sustainably.

9. Tree Protection / Tree Protection Plans

No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, Demolition and Construction (or any superseding British Standard). Unless otherwise agreed in writing with the Local Planning Authority, 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 areas, nor shall trenches for service runs or any other excavations take place within the fenced areas except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

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

10. Wildlife Licence

Demolition works, or any other works which cause disturbance to bats, shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
- b) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure that Natural England as the licencing body is satisfied that the works can proceed without causing harm or disturbance to bats. This evidence is required before development begins to ensure that the works are not carried out without a wildlife licence being obtained.

Pre-tree and Vegetation Clearance Works

11. Bird Nesting Season

No tree works or felling, or other vegetation clearance works shall be carried out on the site during the bird nesting season from March to September, inclusive. If this period cannot be avoided, these works shall not be carried out unless they are overseen by a suitably qualified ecologist and the reasons why have previously been submitted to and approved in writing by the Local Planning Authority, including the date of the intended works and the name and contact details of the ecologist. If nesting birds are found or suspected during the works, the works shall cease until the ecologist is satisfied that the nest sites have become inactive.

Reason: To protect nesting birds in accordance with saved Policy LS4 of the Exeter Local Plan First Review and paragraph 180 of the NPPF (2021).

During Demolition and Construction Phases

12. Unsuspected Contamination

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

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

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately for the protection of future occupiers and of controlled waters.

Pre-Specific Works

13. Energy Performance (Policy CP15)

Before commencement of construction of the superstructure of each co-living block hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented and within 3 months of practical completion of each building the developer will submit a report to the Local Planning Authority from a suitably qualified consultant to demonstrate compliance with this condition.

Reason: In the interests of sustainable development and to ensure that the development accords with Policy CP15 of the Core Strategy. These details are required pre-commencement as specified to ensure that the requirements of Policy CP15 are met and the measures are included in the construction of the buildings.

14. Materials

Prior to the construction of the Co-Living accommodation blocks (not including the foundations), samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the approved materials.

Reason: In the interests of good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 130 and 135 of the NPPF (2021).

15. Green Roofs – Details/Maintenance

Prior to the construction of the Co-Living accommodation blocks (not including the foundations), the detailed design of the green roof systems together with a scheme for their management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The green roof systems shall be constructed, managed and maintained as approved.

Reason: In the interests of good design and biodiversity, in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review, and paragraphs 130, 135 and 180 of the NPPF (2021).

16. Green Wall – Details/Maintenance

Prior to the construction of Block 2 (not including the foundations), the detailed design of the green wall system together with a scheme for its management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The green wall system shall be constructed, managed and maintained as approved.

Reason: In the interests of good design, the character and appearance of the Conservation Area and biodiversity, in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 130, 135 and 180 of the NPPF (2021).

17. Nesting and Roosting Boxes

Prior to the construction of the Co-Living accommodation blocks (not including the foundations), details of the provision for nesting birds and roosting bats in the built fabric of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented as part of the development and retained thereafter.

Reason: To enhance biodiversity on the site in accordance with paragraph 9.28 and Appendix 2 of the Residential Design Guide SPD, and paragraph 180 of the NPPF (2021). Also to provide mitigation for the impact on bats in accordance with paragraph 4.4 of the submitted Ecological Assessment Addendum Report.

18. Obscured Glazing

Prior to the construction of the Co-Living accommodation blocks (not including the foundations), details of the obscured glazing indicated on the approved elevations shall be submitted to and approved in writing by the Local Planning Authority, which shall include the level of obscurity of the glazing. In addition, details of low level obscured glazing on the four windows nearest to Northernhay Street not indicated as obscured on drawing number 19720-0344 P-01 ('B2 Iron Bridge Elevation') shall be submitted to and approved in writing by the Local Planning Authority. The approved details under this condition shall be implemented as approved and maintained at all times thereafter.

Reason: To protect the privacy of neighbouring properties in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

19. Bridge

The new footbridge over Paul Street shall not be constructed until an Approval in Principle for the design of the bridge has been agreed by the Local Highway Authority. The footbridge shall be constructed as approved.

Reason: To ensure the safe construction of the footbridge and the integrity of adjacent structures and land.

20. Arboricultural Method Statement

The submitted Arboricultural Method Statement for the construction of a path through the root protection areas of the trees to be retained within the pocket park shall be implemented in full. Prior to the commencement of these works, the Council's Tree Manager shall be notified of the date of the intended works.

Reason: To protect the trees in Tree Group 2 in the interests of the amenities of the area.

Pre-occupation

21. Detailed Landscaping Scheme

Prior to the occupation of the development hereby permitted, a Detailed Landscaping Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of hard and soft landscaping, including street furniture and all boundary treatments (including the design and security rating of the gates indicated on drawing number 19720 0010 P-04). Where applicable, it shall specify tree and plant species and methods of planting. The hard landscaping shall be constructed as approved prior to the occupation of the development. The soft landscaping shall be planted in the first planting season following the occupation of the development or completion of the development, whichever is the sooner, or in earlier planting seasons wherever practicable, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of good design in accordance with Policy CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review and paragraphs 130 and 135 of the NPPF (2021).

22. Landscape and Ecology Management plan (LEMP)

Prior to the occupation of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be prepared in accordance with the specifications in clause 11.1 of BS 42020:2013 (or any superseding British Standard) and shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) On-going monitoring and remedial measures for biodiversity features included in the LEMP.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery.

The landscape on the site shall be managed in accordance with the approved LEMP.

Reason: In the interests of biodiversity and good design in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies LS4 and DG1 of the Local Plan First Review and paragraphs 130 and 180 of the NPPF (2021).

23. CCTV

Prior to the occupation of the development hereby permitted, a strategy for the distribution and management of CCTV on the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include the location and design of CCTV cameras, which should be integrated in an unobtrusive manner. The strategy shall be implemented as approved prior to occupation and maintained thereafter.

Reason: In order to help prevent/detect crime, disorder and anti-social behaviour in accordance with the advice of the Police Designing Out Crime Officer and saved Policy DG7 of the Exeter Local Plan First Review.

24. Under-croft Parking Area

Prior to the occupation of the development hereby permitted, Secured by Design measures for the under-croft parking area beneath Block 2 shall be submitted to and approved in writing by the Local Planning Authority. The measures shall address the issues raised by the Police Designing Out Crime Officer in their comments on the application. The measures shall be implemented as approved prior to the occupation of the development and maintained thereafter.

Reason: In the interests of crime prevention in accordance with saved Policy DG7 of the Exeter Local Plan First Review.

25. External Lighting Scheme

Prior to the occupation of the development hereby permitted, an External Lighting Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location, type, illuminance and light spill of the external lighting on the site. The scheme shall be implemented and maintained as approved.

Reason: In the interests of good design (including public safety) and the character and amenity of the area, in accordance with Policy CP17 of the Core Strategy, saved Policies DG1, DG4 and DG7 of the Exeter Local Plan First Review, and paragraphs 130 and 135 of the NPPF (2021). Also to minimise disturbance to bats in accordance with paragraph 4.6 of the submitted Ecological Assessment Addendum Report.

26. Lighting Impact Assessment

Prior to the occupation of the development hereby permitted, a Lighting Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Impact Assessment shall assess the impact of internal and external light spill on neighbouring properties (taking into account the details submitted under conditions 24 and 25). The recommendations of the approved Lighting Impact Assessment to minimise harm to the neighbouring properties, including any timing controls, shall be implemented in full.

Reason: In the interests of the amenity of neighbouring properties, in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

27. Detailed Design and Management of the Interpretation Centre

Prior to the occupation of the development hereby permitted, the detailed design and management of the Interpretation Centre shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of the proposed site interpretation panels. The Interpretation Centre shall be constructed and managed as approved.

Reason: In the interests of good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 130 and 135 of the NPPF (2021).

28. Paul Street Highway Works

No part of the development shall be occupied until the proposed highway works on Paul Street (loading bays, vehicular access points and improved pedestrian/cycleway facilities), as indicated on drawing number PHL-101 Rev J ('Proposed Highway Layout Plan (Paul Street)'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: To provide safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 110 and 112 of the NPPF (2021).

29. Queen Street/Paul Street Highway Works

No part of the development shall be occupied until the proposed highway works on Queen Street/Paul Street, as indicated on drawing number GA-101 Rev D ('Queen Street/Paul Street General Arrangements'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: To provide safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 110 and 112 of the NPPF (2021).

30. North Street/Paul Street Highway Works

No part of the development shall be occupied until the proposed highway works on North Street/Paul Street, as indicated on drawing number GA-102 Rev E ('North Street/Paul Street General Arrangements'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: To provide safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 110 and 112 of the NPPF (2021).

31. Pedestrian Routes

No part of the development shall be occupied until the pedestrian routes through the site linking Paul Street to Northernhay Street via Maddocks Row have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: To provide safe and suitable access for pedestrians, in accordance with paragraphs 110 and 112 of the NPPF (2021).

32. Electric Hire Bikes

No part of the development shall be occupied until a facility for the hire of electric bicycles has been provided on the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. The facility shall be maintained at all time thereafter unless otherwise agreed in writing with the Local Planning Authority.
Reason: In the interests of encouraging sustainable travel.

33. Cycle Parking

The Co-Living accommodation blocks shall not be occupied until secure cycle parking for the residents of the buildings has been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The secure cycle parking shall be maintained at all times thereafter.
Reason: To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

34. Cycle Parking – Public Realm

Unless otherwise agreed in writing with the Local Planning Authority, the development shall not be occupied until the cycle parking shown on the approved drawings within the public realm for use by the general public has been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. This general cycle parking shall be maintained at all times thereafter.
Reason: To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

35. Electric Vehicle Charging Points

No part of the development shall be occupied until the two electric vehicle charging bays beneath Block 2 have been provided in accordance with details of the charging points previously submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging bays/points shall be maintained at all times thereafter.
Reason: To ensure that this aspect of the application is delivered and in the interests of encouraging sustainable travel in accordance with the Sustainable Transport SPD and paragraph 112 of the NPPF (2021).

36. Car Club

Unless otherwise agreed in writing with the Local Planning Authority, the two electric vehicle charging bays beneath Block 2 shall be used exclusively to provide a car club facility on the site utilising electric vehicles only. The development shall not be occupied until this facility has been provided and it shall be maintained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To discourage the use of private cars in the interests of sustainable travel in accordance with the Sustainable Transport SPD and chapter 9 of the NPPF (2021).

37. Travel Pack

Prior to the occupation of the development hereby permitted, a travel pack shall be provided informing all residents and staff of the car free status of the development, and the walking and cycling routes and facilities, public transport facilities including bus stops, rail stations and timetables, car clubs and electric bike hire facilities available, the form and content of which will have previously been submitted to and

approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: To ensure that all residents and staff of the development are aware of its car free status and the available sustainable travel options.

Post Occupancy

38. Waste and Recycling Bins

No waste or recycling bins or containers shall be stored outside the integral bin stores of the buildings hereby approved except upon the day(s) of collection.

Reason: In the interests of the amenity of the neighbourhood.

39. Communal Spaces

The communal and local amenity rooms within the Co-Living accommodation blocks, as shown on the approved floor plans, and the private outdoor amenity areas shall be used for communal use purposes only and shall not be sub-divided in any way to create additional private bedrooms/spaces.

Reason: To ensure sufficient communal space is available for the residents of the Co-Living accommodation blocks in the interests of residential amenity.

40. Plant Noise

The total noise from mechanical building services plant on the site shall not exceed the noise levels shown in the table of paragraph 9.3.8 of the submitted Acoustic Design Statement (Clarke Saunders Acoustics, 2 July 2021) (Report Ref. AS10946.1901009.R3.1.docx).

Reason: To protect the amenity of sensitive receptors in the vicinity of the site.

41. Access Control Measures

Access control measures shall be implemented for all access points to the buildings to prevent access by non-residents or staff.

Reason: In the interests of crime prevention in accordance with saved Policy DG7 of the Exeter Local Plan First Review, taking into account the recommendations of the Police Designing Out Crime Officer.

and further **RESOLVED** that:-

the City Development Lead or Deputies be authorised to **REFUSE** planning permission for the reasons set out below if the legal agreement under Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) is not completed by 15 May 2022 or such extended time as agreed by the City Development Lead or Deputies for the reasons set out below:-

In the absence of a Section 106 legal agreement in terms that are satisfactory to the Local Planning Authority being completed within an appropriate timescale, and which makes provision for the following matters –

- Co-living Management Plan/Monitoring;
- 20% of the dwellings (55 studios and 21 cluster bedrooms) will be affordable private rented with first priority to essential local workers
- £252,546 habitats mitigation;
- £25,000 towards management, maintenance, repair and promotion of City Wall;

- £175,000 for maintenance/upgrade of off-site public open spaces;
- £45,000 for maintenance/upgrade of off-site play areas;
- £98,048 to improve facilities at either Barnfield Hill Medical Practice Southernhay Medical Practice or St Leonards Medical Centre;
- £10,000 towards traffic regulation orders in the area;
- details of VMS/signage to manage the use of the Guildhall car park;
- details of the type of materials used on the highway (section 44 of the Highways Act 1980);
- a Management Plan to ensure no parking is associated with the development and to ensure the operational facilities of the loading bays (in conjunction with the Guildhall)
- rights of access for all users for the new footbridge over the highway
- public access to the open space on the site and to the City Wall

the proposal is contrary to Exeter Local Development Framework Core Strategy 2012 Objectives 1, 3, 5, 6, 8 and 10, and policies CP4, CP7, CP9, CP10, CP16, CP17 and CP18, Exeter Local Plan First Review 1995-2011 saved policies TM5, L4, T1, C5, LS2, LS3 and DG1, Exeter City Council Affordable Housing Supplementary Planning Document 2014, Exeter City Council Sustainable Transport Supplementary Planning Document 2013 and Exeter City Council Public Open Space Supplementary Planning Document 2005.

The meeting adjourned at 6:50pm and re-convened at 7:07pm.

65

PLANNING APPLICATION NO. 21/1119/FUL - THE MEWS, BOWLING GREEN ROAD, RIVERSMEET, TOSPHAM, EXETER

The Assistant Service Lead Planning presented the application for a proposed single-storey rear extension and alterations.

The Assistant Service Lead Planning referred to photos showing the extension attached to the garage of the Coach House, with the frontage to Bowling Green Road presented as a continuous stone wall and with a small courtyard located behind the garage of the Coach House. The photos also illustrated the impact of the proposal on the neighbouring property.

He reported the following main elements of the proposal:-

- a raised roofline above the garage with a window in the rear elevation that had been moved away from the boundary with the Coach House;
- the provision of solar panels and conservation roof-light in the rear roof slope;
- the roofline above the garage was to be raised to bring it in line with the main roofline of the house to run at one continuous level. A window previously shown in the rear elevation had been moved further away from the boundary with the Coach House. There were two existing windows in this location, one of which was much closer to the boundary than the current proposed window;
- small new windows were to be inserted onto the front roof and first-floor elevation; and
- timber cladding to replace tiles hanging at the first-floor level.

The Assistant Service Lead referred to an error in the report stating that the reference to the roof height dropping down from the main roof by approximately 0.5 metres should read 1.13 metres. He referred to objections received relating mainly

to the raised roofline above the garage and the relocated window and overbearing, overlooking and overshadowing.

The Assistant Service Lead advised that whilst there would be some impact from the raised roof on the amenity of the neighbour at the Coach House, it was not considered sufficiently severe to justify refusal.

Responding to a Member, the Assistant Service Lead advised that the construction hours set out in the conditions were standard as recommended by Environmental Health. They could be varied, but this was not advised as it might be open to challenge.

Jeremy Meadow spoke against the application. He raised the following points:-

- there was no objection to the main part of the amended application, and he appreciated the modifications;
- the proposed first-floor extension was 1.13 metres in height, not 0.5 metres as set out in the report;
- he was speaking on behalf of his mother as there would be a severe impact on her privacy; she is nearly 90 and has lived in the Coach House for 34 years. The house sat behind a solid stone wall with a sense of enclosure with a secure garage door and with a courtyard in front of the house with the courtyard used multiple times a day and was a significant part of her ability to continue to live independently;
- overlooking – the proposed higher and larger windows, despite being further away, command more of a view of the courtyard and front of the house frontage than the current small window, which is much lower and camouflaged by ivy;
- overbearing – the garage roof slopes steeply down from roadside to the inner courtyard, and the immediately adjoining extension will tower over the property creating a hemmed-in feeling;
- overshadowing - the structure will reduce both the passage and feel of light both in the courtyard and indoors, obscuring the skyline through both upper and lower front windows;
- planning is about people as well as land. Policy clause 13.36 refers to feeling comfortable and at ease and not feeling overlooked and hemmed in as specific principles of residential development, and the submitted photos support these points;
- the occupant's health is deteriorating even before work starts; there was no prior consultation made before the planning process commenced;
- a compromise was rejected - to appropriately lower the overall extension height and omit the rear windows as the plan shows that the room has another window and skylight;
- if granted, it is hoped that there will be a safeguarding condition regarding the listed wall and that working hours start at 9:00 am; and
- he was positive about the planning officer's suggestion of lowering the height and removing the window. He would rely on the Council's conditions regarding building onto the listed wall.

He responded as follows to Members' questions:-

- his mother used the courtyard to sit in, which is her sanctuary and to access the road at the front of the property;
- the height of the first-floor roof raise was material as the proposed roof raise was more than double than stated - 1.2 metres, not 0.5 metres; and
- a frosted window would be an acceptable compromise.

Simon Briscoe spoke in support of the application. He raised the following points:-

- the extra height transforms the two bedrooms, and lifting the slope of the roof from shoulder height allows people to stand up fully;
- there will be little impact on a protected stretch of road;
- plans have been changed to help satisfy the neighbours with the size of the extension reduced, and it no longer touches the garden boundary wall with doors and windows moved;
- the neighbour's suggestion to have no windows was rejected, but two windows have been reduced to one, and the view will be at a more oblique angle and from further away with these changes leading to less visibility;
- as the extra roof height is at least six metres away from a window, it will have no measurable impact on internal light;
- there will not be any shadow on the neighbour's house or courtyard;
- the extra height on the roof - which does not form one of the walls creating the enclosure of the courtyard - will not be overbearing; and
- the objections related to privacy, light and overbearing do not stand up to scrutiny and are rejected.

He responded as follows to Members' questions:-

- request to change the hours of working could be challenging to implement as not aware of builders who start later than 8:00 am;
- have tried to facilitate the concerns of the neighbour; and
- the new window provides less visibility of the courtyard, and the suggestion of a frosted window is not appropriate for a bedroom.

Members expressed the following views:-

- the application had been considered at a Delegation Briefing and brought to the Committee on the request of local Members;
- the use of glazed windows for a bedroom would not be appropriate; and
- limiting hours of construction would only extend the overall period of works.

The recommendation was for approval, subject to the conditions as set out in the report.

The recommendation was moved and seconded and, following a vote, was carried.

RESOLVED that planning permission for proposed extension and alterations be **APPROVED**, 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 – Plan numbers 21-867 S.01, A.02 Rev B, A.06 Rev. B dated 18/8/21 and A.03 Rev. C, A.04 Rev. C, A.05 Rev. C, and A.07 Rev. C dated 28/9/21
Reason: To ensure compliance with the approved drawings.

- 3) No site machinery or plant shall be operated, no process shall be carried out, and no demolition or construction-related deliveries received or dispatched from the site except between the hours of 8 am to 6 pm Monday to Friday, 8 am to 1 pm Saturday
Reason: To protect the amenity of the locality, especially for people living or working nearby.
- 4) No development or construction activity shall be undertaken within the area(s) outlined on the attached plan until the means of protecting archaeological remains have been agreed in writing with the Local Planning Authority. All works shall be carried out and completed as approved unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that significant archaeological remains are protected from damage during development.

Informatives

- 1) Following paragraph 38 of the National Planning Policy Framework, the Council has worked positively and pro-actively and has imposed planning conditions to enable the grant of planning permission.
- 2) Following the Conservation of Habitats and Species Regulations 2017, this development has been screened regarding the need for an appropriate assessment.
- 3) The Party Wall Act 1996 contains requirements to serve notice on adjoining property owners if planning to do work of any kind described in Sections 1, 2, or 6 of the Act.

66

PLANNING APPLICATION NO. 21/1054/RES - LAND FOR RESIDENTIAL DEVELOPMENT AT HILL BARTON FARM, HILL BARTON ROAD, EXETER

The Principal Project Manager (Development) (MH) presented the application for the approval of reserved matters of layout, scale, appearance and landscaping of planning permission ref. [19/1375/OUT](#) (Outline application for up to 200 dwellings).

The Principal Project Manager set out a detailed description of the site and surrounding area and the development, including: site photographs and aerial views. He referred to the following key issues:-

- the principle of development;
- access/impact on local highways and parking provision
- affordable housing;
- the scale, design, impact on character and appearance and impact on biodiversity and heritage assets;
- flood risk and surface water management;
- sustainable construction and energy conservation; and
- economic benefits and CIL/Section 106.

He also referred to the following:-

- the allocation of the site is within the strategic housing allocation of the Monkerton and Hill Barton Master Plan;
- the erection of 198 dwellings had been reduced from the originally applied for 200 as a result of negotiations;

- the road running between the site and the proposed linear green space, and the adjoining consented housing development did not form part of the current proposal and had been consented as part of the adjoining Persimmon development;
- the parking approach comprised a mixture of allocated and unallocated parking spaces, on-plot and right angle parking within in streets and a small number of parking courts;
- open space was provided in the form of a linear area on the southern/eastern boundary of the site and would incorporate an equipped play area and combined pedestrian/cycle path that would link to other existing and proposed routes in the area;
- detailed design matters raised by the Highway Authority and the submission of revised drawings and formal consultation responses, the Highway Authority stressing the need to maximise permeability with the wider Monkerton and Hill Barton Strategic Allocation; and
- a late representation referring to the appearance of construction vehicles on site prior to determination which it was understood related to an adjoining site.

The Principal Project Manager responded as follows to Members' queries:-

- the space between dwellings on the plans represent car parking ports and parking standards meet requirements;
- the quantum of play area at 11% is above the 10% requirement;
- the sustainable energy provision will meet building regulation requirements and there will be a connection to the District Heating Network
- there will be play facilities but there is not a community hall provided for as part of the wider site;
- there will be permeability to existing footpaths and the cycle path that links into the Met Office;
- the development is designed to facilitate a future bus route if the County Council and Stagecoach come forward with a proposal, although no route is currently planned; and
- a policy complaint figure of 35% of affordable housing was proposed.

Councillor Wood, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- thanked the Planning Committee for previous decisions to protect the green spaces and hills defining the city and stated that he was not against the development in principle;
- opposed to excessive cumulative impact of individual developments in this area and their impact on local infrastructure including roads which has had an adverse impact on Pinhoe, changing it almost beyond recognition;
- the Core Strategy makes specific reference to the Monkerton/Hill Barton Master Plan which was intended to address the impact of a number of intensive; developments across disparate sites. CP18 states that developments must be supported by appropriate infrastructure provided in a timely manner and to mitigate adverse impacts;
- the development and others do not combine to address the requirement to provide a community centre, facilities such as a GP and appropriate local areas for play space. Local community facilities such as the GP are at capacity;
- there is no indication of support for a rail halt as set out in the Devon Metro Plan;
- the Strategic Master Plan refers to an open space framework providing formal and informal open space including parks, playing fields and allotments – the development does not recognise this requirement nor identify the physical space

for it to be provided. This absence is recognised in the objections from residents and the Exeter Cycling Campaign;

- the development lacks provision of a local convenience store referring to provision some distance from this development; and
- provision should be made to contribute towards the proposed Pinhoe hub as well as allotments.

Responding to a Member, Councillor Wood, confirmed that a community centre was vital to generate a community spirit and that a provision of 11% open space did not necessarily provide an identical area of play space.

Tom Rocke spoke in support of the application. He raised the following points:-

- it will deliver housing where the Council considers it should be located, as part of a sustainable urban extension at Monkerton and Hill Barton;
- the proposed development is an acceptable density that reflects the Council's aspirations set out in the Monkerton and Hill Barton Masterplan Study, and will make efficient use of suitable housing land that is in very short supply;
- good mix of homes is provided, ranging from one to five bedrooms comprised in a variety of unit types, including apartments, terraced, semi-detached and detached properties. The proposals will therefore provide for a mixed, balanced and inclusive community;
- 69 affordable homes will be provided, with a predominance of one and two bed units in response to the greatest need as reflected in the latest Devon Home Choice Quarterly Monitoring report;
- 11% of the site is dedicated to public open space, exceeding the Council's policy requirement for 10%. The principle of a green corridor open space was established through the Monkerton and Hill Barton Masterplan Study and in this location it will provide good accessibility to neighbouring homes that form part of the wider development of the area as well as to future residents on the site itself and will assist in alleviating pressure on existing facilities;
- the area includes a Local Area for Play (LAP) for younger children and a Local Equipped Area for Play (LEAP) for older children as well as areas for informal recreation and sitting out. Additional open space is to be provided as part of the ridge top park. An application for outline planning permission for that final phase has been submitted and includes a LAP, LEAP and Multi Use Games Area (MUGA); and
- the means of access to the site was approved under outline planning permission and the spine road through the site as part of the adjacent Persimmon development. The internal residential roads within the development will be predominantly shared surfaces, in which pedestrians and cyclists have equal priority to motorised means of transport and in which vehicle speeds are low.

He responded as follows to Members queries:-

- the air quality assessment submitted at outline stage had indicated that there would be no adverse impact on air quality;
- the proposal follows the principles set out by the Council in the Monkerton/Hill Barton Master Plan with the provision of a linear area of open space in the south west part of the site. It was important to consider provision in the context of the wider area including the David Wilson development to the west and the Persimmon development to the east and the final phase to the north just submitted with substantial open space with the ridge top park established in the Master Plan. The applicant had followed the framework set by the Council to the letter;

- the development is brought forward within the context of the Hill Barton Character Area on the basis of limited through traffic and open space for play with the neighbourhood core in the south west of the site providing community interaction space for this and adjacent developments;
- the Master Plan identifies two areas for local convenience stores, one at Pinhoe and the other at Hill Barton in conjunction with the proposed rail halt, although only land has been set aside to date. Moreover, significant community facilities would be developed at the Moor Exchange site once the market recovers; and
- CIL receipts would be used to fund community facilities.

Members expressed their concerns regarding the failure to bring forward necessary community facilities in a timely manner and an apparent “houses first” approach rather than ensuring the necessary infrastructure was in situ not only in this area but in other areas of the city. They regarded this failure in the Pinhoe area as particularly serious given the number of developments already provided and with more on stream. Engendering social cohesion and interaction and providing for community building should be viewed as a vital adjunct when bringing forward developments.

Members also raised the following issues:-

- the application should be considered in the context of the overall Master Plan which sets out the “bigger picture” aspiration in terms of infrastructure and community facility provision. It would be important therefore for future reports on planning applications in this area to be accompanied by the agreed Master Plan and its current application;
- the developer has also missed the opportunity to bring forward other community facilities not referred to in the Master Plan which would help community cohesion;
- the report does not include Environmental Health comments on air pollution as it is a car led development in spite of Council aspirations to encourage car free developments;
- no reference to a sustainable transport plan as required by the Transport Supplementary Planning Document; and
- facilitating community cohesion helps combat mental health issues.

The Principal Development Manager stated that the proposals submitted by the applicant largely reflected the detailed illustrative Master Plan and that the principle of the residential development of this site and the access arrangements to serve it had already been established through the outline consent. The site also formed part of a Strategic Housing allocation within the Council's Adopted Core Strategy although some developments were yet to be delivered. An area had been identified for a small retail facility but that outline consent had been established for houses and not for community facilities.

The Chief Executive & Growth Director recognised Members frustration over the apparent failures of the planning system including the importance of prioritising community needs. However, with outline consent granted, those issues of concern could not be addressed at this stage. Developers were not obliged to defer to an adopted Master Plan which did not legislate against developers bringing forward their own Master Plans for individual developments. The Council had however achieved commitment by developers to bring forward open space provision for the community as part of the ridgeline park to the north of this development and it was within the Council's capacity to fund community contributions through CIL. The Liveable Exeter project was a Council response to delivery of housing provision given the current planning system.

The recommendation was for approval, subject to the conditions as set out in the report.

The recommendation was moved and seconded and, following a vote, was carried.

RESOLVED that subject to satisfactory clarification in respect of highway matters and the formal consultation response from the Highway Authority, planning permission for reserved matters of layout, scale, appearance and landscaping of planning permission ref. [19/1375/OUT](#) (Outline application for up to 200 dwellings) be **APPROVED**, subject to the following conditions (and their reasons) and any other appropriate conditions as recommended by the Highway Authority in the formal consultation response:-

- 1) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 1st July, 21st and 22nd October 2021 (including drawing numbers listed on the Rocke Associates Drawing and Documents Schedule dated 21st October 2021) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 2) All conditions imposed on the outline approval 19/1375/OUT are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 3) The details to be submitted pursuant to Condition 9 of the outline planning permission shall include information stating how vehicles, machinery and other equipment involved in the construction phases of the scheme will be deployed and managed to prevent interference and obstruction to Met Office satellite receivers in relation to their operational schedules, and construction work shall subsequently be undertaken strictly in accordance with the agreed plan.
Reason - To ensure adequate protection to the line of sight of the Met Office satellite reception facility at Met Office during construction.
- 4) The ridge heights of the proposed development shall not exceed the heights specified for each of the proposed dwellings as indicated on the 'Proposed Roof Height Plan' drawing (drawing ref: 2019 VH RH_01_P2) - dated 21st October 2021) and the accompanying 'Northings Eastings FFLs and RHs Hill Barton_P2' spreadsheet, which accompany the application. The Met Office shall be consulted on any proposed amendments to the layout and heights of the proposed development.
Reason - To ensure adequate protection to the line of sight of the Met Office satellite reception facility.
- 5) Samples of the materials to be used 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.

- 6) The development hereby approved shall be implemented and thereafter be maintained strictly in accordance with the provisions, recommendations and mitigation measures contained within the following documents submitted as part of the application -
Ecological Management Plan prepared by ead ecology dated 18th October 2021 report ref: 211019_EAD Ecology_P1106_EMP_01 and
Construction Ecological Management Plan by ead ecology dated 19th October 2021 report ref: 1019_EAD Ecology_P1106_CEcoMP_01
Reason - In the interests of preserving and enhancing the ecological value of the site both during and post construction.
- 7) Notwithstanding the submitted Landscape Management and Maintenance Plan, no trees shall be planted as part of the landscaping scheme for the site until the Local Planning Authority (in consultation with the Met Office) has approved in writing provisions within a revised 'Landscape Management and Maintenance Plan' to ensure that new tree planting shall only include species which are expected to reach a height at maturity of no higher than the ridge height of the dwellings as shown on the Proposed Roof Height Plan or that long term management provisions are in place to ensure that all trees and hedgerows provided as part of the landscaping scheme will be managed at a height so as not to cause unacceptable interference to Met Office satellite reception facility.
Reason - To ensure adequate protection to the line of sight of the Met Office satellite reception facility at Met Office.
- 8) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and any Order revoking and re-enacting that Order with or without modification, no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-
Part 1, Class A extensions and alterations
Part 1, Classes B and C roof addition or alteration
Part 1, Class E buildings incidental to the enjoyment of the dwelling house
Part 1 Class F hard surfaces
Reason: In order to protect residential amenity and to prevent overdevelopment.
- 9) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 10) Notwithstanding the details shown on drawing no Q7015_D, submitted via agent email dated 21st October 2021 in which it was referred to as an illustrative only drawing, full details of the layout and play equipment/street furniture and boundary treatments to be provided as part of the proposed open space shall be submitted for approval as part of the information to be submitted pursuant to condition 14 of the outline planning permission reference no. 19/1375/OUT. Thereafter the open space/paly area shall be implemented strictly in accordance with the approved details.

Reason - To ensure that the details of the open space and associated play facilities are acceptable prior to their installation.

- 11) Prior to occupation of the apartments included within the development, details shall be submitted to the Local Planning Authority of the secure covered cycle parking provision to serve the apartments. The apartments shall not be occupied until such details have been agreed in writing by the Local Planning Authority, and the cycle parking has been provided in accordance with the approved details.
Reason: To comply with the standards set out in the Sustainable Transport SPD and provide for sustainable travel.
- 12) Prior to occupation of the development, details shall be submitted to the Local Planning Authority of the proposed tie in connections to Membury Crescent/Peppercombe Avenue and Cranbrook Walk. Access must be provided and maintained in accordance with details that shall have been submitted to, and approved in writing, by the Local Planning Authority in conjunction with the Local Highway Authority and retained for that purpose at all times.
Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108 and 110 of the NPPF.
- 13) Prior to occupation of the development, details shall be submitted to the Local Planning Authority of suitable priority for pedestrians on all side road junction. Access must be provided and maintained in accordance with details that shall have been submitted to, and approved in writing, by the Local Planning Authority in conjunction with the Local Highway Authority and retained for that purpose at all times.
Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108 and 110 of the NPPF.
- 14) Prior to occupation of the development, details shall be submitted to the Local Planning Authority of suitable pedestrian and cycle access on the east – west route through the site (to the south of plot 189). Access must be provided and maintained in accordance with details that shall have been submitted to, and approved in writing, by the Local Planning Authority in conjunction with the Local Highway Authority and retained for that purpose at all times.
Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108 and 110 of the NPPF.

Informatives

- 1) 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.

- 2) In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.
- 3) 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).
- 4) Your attention is drawn to the consultation response from the Airfield Operations Duty Manager dated 30th July 2021, and in particular the documents referred to therein -
- Airport Operators Association (AOA) Advice note 4 Cranes and other Construction Issues, and
 - Civil Aviation Authority (CAA) CAP1096 Guidance to crane users on crane notification process and obstacle lighting and marking.

67

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Deputy Chief Executive was submitted.

RESOLVED that the report be noted.

68

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

69

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 30 November 2021 at 9.30 a.m. The Members attending will be Councillors Morse, Sparkes and Williams.

(The meeting commenced at 5.30 pm and closed at 8.50 pm)

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Planning Committee Report 19/1709/FUL

1.0 Application information

Number: 19/1709/FUL

Applicant Name: Mr Matthias Daly, Lidl Great Britain Ltd

Proposal: Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works - (Further Revised Plans).

Site Address: Land at Pinbrook Court
Pinhoe Road/Venny Bridge Road
Exeter

Registration Date: 4 December 2019

Link to App: <https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q1ZV7NHBMNQ00>

Case Officer: Matthew Diamond

Ward Member(s): Cllr David Harvey, Cllr Trish Oliver, Cllr Duncan Wood

REASON APPLICATION IS GOING TO COMMITTEE:

The Service Improvement Lead – City Development considers the application to be a significant application that should be determined by the Planning Committee in accordance with the Exeter City Council Constitution.

2.0 Summary of recommendation

DELEGATE to GRANT permission subject to conditions as set out in the report.

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

The proposal is considered to be a sustainable development when balancing the Development Plan policies, National Planning Policy Framework 2021 (NPPF) policies, including the presumption in favour of sustainable development in paragraph 11, National Planning Practice Guidance (NPPG), and the constraints and opportunities of the site.

4.0 Table of key planning issues

Issue	Conclusion
The Principle of the Proposed Development	The site is considered to have a nil planning use, therefore the proposed foodstore will not conflict with Policies CP2 or E3, as the site is no longer used for employment purposes. The site is considered to pass the main

Issue	Conclusion
	town centre uses sequential test – the only available and viable alternative site is Moor Exchange, but this site is neither within nor on the edge of a defined centre. The development is below the threshold for an impact assessment, however the impacts on centres are considered low. Therefore, the development accords with Policies CP8 and S1. The development will generate up to 40 permanent jobs and be within walking distance of housing, which are sustainability benefits.
Access and Impact on Local Highways	The Pinhoe Road/Venny Bridge junction will be signalised with the provision of toucan crossings making it safer for all users, particularly pedestrians and cyclists. The Pinhoe Road arms of the junction are predicted to operate approximately 10% over capacity during the PM peak hour in 2024. The Highway Authority and officers do not consider this to be a severe impact, which would point to refusal in line with the NPPF. The new infrastructure will encourage pedestrian/cycle movements to/from the store, supporting the Council's ambition of becoming a net zero carbon City by 2030. The development accords with Policies CP9, T1, T2 and T3, and chapter 9 of the NPPF.
Parking	The car parking accords with the Council's standards in Policy T10/Sustainable Transport SPD. Conditions should be added to bring the provision of cycle parking up to the minimum standards in the SPD and to provide showers, lockers and space to dry clothes for staff to encourage cycling in accordance with the SPD.
Design and Landscape	Following revisions to account for the Place Making Officer's comments, the site layout and design of the building are acceptable and will fit into the

Issue	Conclusion
	character of the area. A detailed landscaping scheme should be secured by condition incorporating tree planting. Subject to this condition, the proposal accords with Policy DG1. A condition for CCTV should be added in line with the Police comments.
Impact on Amenity of Surroundings	Conditions should be added limiting the times for deliveries and waste collection, the noise from plant and securing a 2m wall (or similar boundary treatment) along the east site boundary to protect the amenity of residents from noise generated by the foodstore and its use. Subject to these conditions, the development accords with Policy EN5.
Impact on Trees and Biodiversity	Since the application was submitted, three trees on the site were felled, including a good quality Oak. Replacement trees should be secured in accordance with Policy DG1 and the NPPF, through the detailed landscaping scheme condition. The site was used by common pipistrelle bats and bird nesting before the buildings were demolished. A Biodiversity Enhancement Plan should be conditioned to include an appropriate number of bat and bird boxes, in accordance with Policy LS4 and chapter 15 of the NPPF.
Contaminated Land	The site is contaminated from past industrial use. A complete contamination investigation and remediation strategy should be conditioned, and a further condition added in case unsuspected contamination is found. Subject to these conditions, the development accords with Policy EN2.
Impact on Air Quality	The proposed development will not have a significant effect on air quality, but will include two rapid electric vehicle charging points and cycle

Issue	Conclusion
	parking in accordance with best practice. The development accords with Policy EN3.
Flood Risk and Surface Water Management	The proposal fails the flood risk Sequential Test, contrary to paragraph 162 of the NPPF, however there are considered to be material considerations to allow the development (see section 16.0). The proposed development will be safe and not lead to increased flooding elsewhere. The Environment Agency and Lead Local Flood Authority have no objections, subject to conditions which should be imposed. An Exception Test is not necessary for a foodstore. The development accords with Policies CP12 and EN4, and paragraphs 161c) and 169 of the NPPF.
Sustainable Construction and Energy Conservation	Conditions should be added requiring BREEAM Excellent, connection to the adjacent Decentralised Energy Network (unless demonstrated not to be viable) and a Waste Audit Statement, in accordance with Policies CP15, CP13 and W4 (Devon Waste Plan) respectively.
Development Plan, Material Considerations and Presumption in Favour of Sustainable Development	The proposal is considered to accord with the Development Plan as a whole, subject to the imposition of conditions. The development fails the flood risk Sequential Test, which is a material consideration carrying high weight, however this is considered to be outweighed by the sustainability benefits of the scheme, although a condition should be added restricting the sale of comparison goods to no more than 20% of the net sales area in order to maintain the store as a predominantly convenience goods store encouraging sustainable travel to/from the nearby housing. The 'tilted balance' in the NPPF is not engaged,

Issue	Conclusion
	as the site is in an area at risk of flooding.

5.0 Description of site

The site comprises a vacant plot of land northwest of Pinhoe Road and Venny Bridge, and extends south and east to include the adjoining highway land. The site area including the highway land is 1.12ha. The site area not including the highway land is 0.72ha. The site previously had a number of buildings on it that were used for employment purposes, however these were demolished in November 2019 following the grant of prior notification of proposed demolition application ref. 18/1224/DEM.

The site lies to the north of the Monkerton/Hill Barton Strategic Allocation in the adopted Core Strategy (2012). It is located within the established employment area at Pinhoe referred to in Policy CP2 and shown on Plan 4 of the Exeter Employment Land Review 2009. The site is undesignated on the Exeter Local Plan First Review 1995-2011 Proposals Map (adopted 2005). The site is within a Retained Employment Site designated on the Proposals Map of the Publication Version Development Delivery DPD, however this DPD is not adopted and therefore carries very limited weight.

About 80% of the site to the north is within Flood Zone 2 with part of this area also within Flood Zone 3, as a result of Pin Brook adjacent to the north site boundary. The southwest part of the site is within Flood Zone 1. There are no above ground heritage assets on the site or within the vicinity.

The site is bounded by employment uses to the north/northeast, Venny Bridge and a car rental business to the east, Pinhoe Road to the south with the Mayfield Gardens residential development under construction beyond, and further employment uses to the west. Aldi and Sainsburys supermarkets are in close proximity to the southwest. Chancel Lane lies to the northeast, which crosses the railway line via a narrow bridge.

6.0 Description of development

The proposal is to construct a foodstore (Class E(a)/formerly Class A1) on the site with associated car park, landscaping and access works. The store will be sited to the west of the site with the car park to the east. About half the store will be in Flood Zone 2 and a smaller area to the north will also be in Flood 3, while the remainder to the south will be in Flood Zone 1. The majority of the car park will be in Flood Zone 2 and about half will also be in Flood Zone 3. The store will have a gross internal area of 1,900 sq m, including 1,200 sq m net sales area. The car park will have 104 spaces, including 7 disabled spaces, 8 parent and child spaces, and 2 electric vehicle charging spaces. Vehicle access will remain off Venny Bridge in the same location as before. The Pinhoe Road/Venny Bridge junction will be changed to a signalised junction with toucan crossings added to each road. A new pedestrian/cycle

access will be provided off Pinhoe Road to the west of the main access near the entrance to the building. The application was revised a number of times, including the red line boundary to include highway land, with the latest set of revised plans being submitted in July 2021.

7.0 Supporting information provided by applicant

- RPS Cover Letter 27.11.2019
- Design and Access Statement (October 2019) – SUPERSEDED
- Community Involvement Statement
- Planning & Retail Statement (November 2019)
- Employment Land Appraisal (November 2019)
- Transport Assessment (November 2019) – SUPERSEDED
- Travel Plan (November 2019) – SUPERSEDED
- Noise Impact Assessment (October 2019)
- Tree Survey Constraints Analysis Arboricultural Impact Assessment Rev A (October 2019)
- Tree Constraints Plan (Sept 2019)
- Tree Protection Plan (Sept 2019)
- Ecological Appraisal (Bats & Birds) (May 2019)
- Ecological Verification Report (November 2019)
- Geo-Environmental Investigation Report (April 2019)
- Air Quality Assessment (November 2019)
- Flood Risk Assessment Version 2 (November 2019) – SUPERSEDED
- External Lighting Design Statement (October 2019)
- Utility Search Report (December 2018)

Additional Information Submitted During Application

- Planning & Retail Statement Addendum (January 2020)
- RPS Letter – Response to Objection by ASDA Stores Ltd 19.05.2020
- Pell Frischmann Letter – Response to Objection by ASDA Stores Ltd 14.07.2020
- RPS Cover Letter 10.07.2020
- Design and Access Statement (July 2020)
- Pinhoe Road/Venny Bridge Junction Appraisal (May 2020)
- PV System Report (May 2020)
- Flood Risk Assessment Version 6 (June 2020) – SUPERSEDED
- Air Quality Technical Note (July 2020)
- RPS Letter to Flood and Coastal Management Team 19.08.2020
- RPS Cover Letter 12.01.2021
- Transport Assessment (January 2021)
- Traffic Appraisal and Modelling (January 2021)
- Travel Plan (January 2021)
- Flood Risk Assessment Version 8 (January 2021) – SUPERSEDED

- Blake Morgan Letter – Retail Status of Moor Exchange 21.01.2021
- Pell Frischmann Technical Note – Comparison of Accessibility of Site with Moor Exchange (November 2020)
- RPS Letter – Response to Objection by the Environment Agency 17.03.2021
- Flood Risk Assessment Version 9 (March 2021)
- RPS Letter – Response to the Environment Agency's remaining issues 17.05.2021
- RPS Letter – Structural Survey of Pin Brook Bank Wall and Culvert Headwall 05.05.2021
- CCTV Drainage Survey 14.04.2021
- RPS Cover Letter 09.07.2021
- Transport Assessment Addendum (July 2021)
- Air Quality Technical Note (December 2021)
- RPS Letter – Planning Issues 20.01.2022

8.0 Relevant planning history

93/0068/FUL (Dewhurst Meat Preparation Plant)	Part change of use of building from warehouse to auction room	PER	05.03.1993
95/0764/FUL (Adj Unit 5 Peek House)	Change of use of land from storage (Class B8) to retail (Class A1) for the display of timber buildings	PER for 12 months	19.12.1995
97/1041/FUL (Unit 11)	Single storey rear extension	PER	19.01.1998
02/0166/FUL (Former Eastman (Dewhurst) Building)	Change of use from storage and distribution (Class B8) to offices (Class B1)	PER	21.03.2002
18/1224/DEM	Demolition of Pinbrook Court and Units	PER	10.10.2018

9.0 List of constraints

- Flood Zones 2 and 3 cover parts of the site
- Parts of Venny Bridge and site access susceptible to surface water flooding
- Potential contamination
- AQMA is 220m to southwest of site

10.0 Consultations

Below is a summary of the consultee responses. Where more than one response was received, the latest response has been summarised. All consultee responses, including earlier responses, can be viewed in full on the Council's website.

Environment Agency: No objection subject to pre-commencement conditions for the following:

- Watercourse Maintenance Plan for the open Pin Brook adjoining the site
- Contamination Investigation and Remediation
- Unsuspected Contamination.

NB. A flood risk activity permit (FRAP) may be required from the EA.

Local Highway Authority (Devon County Council): The Highway Authority objected to the previous proposals to upgrade the Pinhoe Road/Venny Bridge junction to an improved priority junction on safety grounds. This issue has been resolved through the current proposal for a signalised junction. The scheme improves pedestrian facilities via toucan crossings on the Pinhoe Road western arm and Venny Bridge arm. The crossings will allow pedestrians to press the buttons and cross the entire carriageway without needing to wait at the central islands for a second green light stage, as recommended by the HA. This improves the safety of the junction and reduces the crossing time for pedestrians/cyclists. It may delay vehicles at the junction. The new highway arrangement will result in four sets of signals within 500m, impacting traffic flow in both directions. However, there is no policy against this and in line with the transport hierarchy and NPPF, more weight should be given to ensuring safe and suitable access is provided for all road users. A stage 1 Road Safety Audit has been undertaken by the applicant, which does not raise any significant safety concerns. The HA is satisfied that safe and suitable access will be provided for all users. The impact of the scheme on the recently constructed E4 Strategic Cycle Route is acceptable.

The access to the site has been reduced from 18m in earlier layouts to 14m, improving access for pedestrians. Due to visibility constraints of vehicles exiting the site, it's accepted that pedestrian priority similar to that delivered at Aldi, Topsham Road cannot be provided at this location. Vehicle tracking shows that vehicles can manoeuvre safely to/from Venny Bridge. The main pedestrian/cycle access will be provided from Pinhoe Road; consequently pedestrians/cyclists travelling to the site from Pinhoe Road, including those from the nearest bus stop (approximately 60m to the west), will not need to go through the car park.

The development will generate 64 two-way movements in the AM peak and 141 two-way movements in the PM peak. The access from Venny Bridge has been assessed to operate within capacity during the weekday peak periods in 2024, therefore the HA has no concerns with the capacity of this junction. The new Pinhoe Road/Venny Bridge signalised junction has been assessed to operate within the limits of junction capacity in the AM peak hour, but it will be operating approximately 10% over capacity along Pinhoe Road in 2024 with the development. The HA explored whether the width of Pinhoe Road could be increased to the west to maintain two lanes of

traffic eastbound to improve traffic flow, but this has not been possible to achieve and (irrespective) the HA does not consider that it is necessary to make the development acceptable in highway terms. Sensitivity tests indicate that Pinhoe Road would operate within capacity if traffic flows reduced by 10%, or approximately at capacity if there was no growth traffic added. Queues may form on Venny Bridge during busy periods, potentially blocking back into the Lidl car park, however the signals will safeguard egress onto the public highway.

The proposed development will have an impact on traffic flows along Pinhoe Road, although the road already suffers from peak hour congestion and delay, therefore it is unlikely to cause a significant change to journey times. This needs to be balanced against the wider enhancements to road safety and pedestrian/cycle access. As safe and suitable access can be provided, the HA does not consider that the impact on vehicular capacity can substantiate a justification for refusal.

The provision of 12 cycle spaces meets the minimum cycle parking standard in the Sustainable Transport SPD. The applicant has also agreed to provide a Co Bikes docking station (8 docks), which should be conditioned.

A travel plan is required for all staff. Construction access arrangements must be carefully managed. The construction plan must outline how disruption to the strategic cycle route will be minimised.

In summary, the HA is satisfied that safe and suitable access will be provided, subject to conditions.

Lead Local Flood Authority (Devon County Council): No in-principle objections, subject to a pre-commencement condition securing a detailed drainage design based upon Flood Risk Assessment Version 9, as well as detailed proposals for the management of surface water and silt runoff during construction, adoption and maintenance proposals, and a plan indicating how exceedance flows will be safely managed.

Waste Planning Authority (Devon County Council): A very small part of the site is within the Waste Consultation Zone for Pinbrook Road Household Waste Recycling Centre. However, this does not represent a constraint to the development. Agree to a pre-commencement condition for a Waste Audit Statement.

RSPB: Questioned whether the proposed mitigation and enhancement in the Ecological Appraisal was adequate, and encouraged a Landscape and Ecological Management plan (LEMP), more appropriate number of bird/bat boxes and additional enhancements such as green wall panels. In response to the latest consultation, suggested an alternative to integral boxes which have a life expectancy of 50 years

and between 12 and 18 could be accommodated on the north or east elevations of the building.

Devon & Somerset Fire & Rescue Service: The revised drawings would (without prejudice) appear to satisfy the criteria we would require for B5 access under Building Regulations and so we have no objection to this development at this time.

Police Designing Out Crime Officer: Fencing/gates should be used to restrict access behind the building to staff only and these areas should be covered by CCTV. The car park access should have lockable barriers or gates to prevent misuse or unauthorised encampments. Road markings should be clearly marked in the car park. The glazed store frontage should be protected by the incorporation of bollards. A condition for CCTV should be added if permission is granted. It is welcomed that the lighting meets BS5489 – Road lighting. The landscaping should not hamper surveillance opportunities or conflict with lighting or CCTV. A surveillance gap should be maintained with plant growth not extending above 1m and tree foliage not reaching below 2m. In the car park areas plant growth should not exceed 500mm.

South West Water: No objection, subject to surface water being discharged to Pin Brook as proposed in the Flood Risk Assessment. A public sewer runs within the site, which will need to be diverted if buildings/structures are within 3m.

Environmental Health: Objected to the original Air Quality Assessment, but removed this objection following the submission of the latest Air Quality Technical Note in December 2021. The submitted noise report shows that building services plant will achieve a rating noise level of 3dB below background levels at night when 5dB would normally be expected, however this is acceptable being within the likely margin of error. The report assumes a 2m noise barrier along the site boundary, which must be secured otherwise the noise assessment will need to be revised. Conditions recommended: CEMP, contaminated land, delivery times, plant noise limits and noise barrier details.

Arboricultural Officer: No arboricultural objections to the original plans. (NB. Original plans retained 12.5m high Oak tree and two smaller Ash trees in northwest corner of site, but these trees have been felled.)

Place Making Officer: Moving back the building by about 4m helps to match the building line and is close to the consented setback of the nearby Aldi rebuild; it seems unlikely that further setback could be negotiated. The frontage planting strip should include tree planting to enhance the building and its setting. The revised material finishes of the elevations are acceptable. (NB. Comments relate to earlier set of plans, but still considered relevant.)

Building Control: No comments regarding Building Regulations on original plans. Did not respond to consultation on revised plans.

Exeter Cycling Campaign: Whilst it can be challenging for the layperson to keep a track of all the changes made here we are encouraged by the improvements that the DCC Transport team have insisted upon to this design, particularly the Venny Road junction improvements. We have no further comments to offer.

Exeter Civic Society: Did not comment on latest set of plans. Previously suggested access improvements and provision of trees along frontage.

11.0 Representations

The application was advertised three times, once for the original submission, once when revised plans were submitted in July 2020 and once when further revised plans were submitted in July 2021. There were 80 contributors in total comprising 71 objections, 7 neutral and 2 in support. There were 9 objections to the latest set of plans, 6 of whom had objected previously. For information, the latest set of plans introduced signals and toucan crossings at the Pinhoe Road/Venny Bridge junction. The majority of objections related to the original plans. The following issues were raised in the objections:

- Supermarkets already close by
- Impact of traffic generation on local highways/junctions that are already busy/congested
- Dangerous for pedestrians/cyclists to cross road – new layout required
- Major supermarket should be built alongside major housing developments, reducing traffic movements
- Good use of land
- Creates additional jobs
- January 2021 traffic modelling does not take into account new development
- Transport assessment highlights junction will be over capacity in 2024
- Access should be from Exhibition Way (subject to third party land purchase)
- Impact on Chancel Lane/bridge – dangerous for pedestrians
- The introduction of traffic lights at the junction will make it worse
- Too much traffic using road already
- Loss of grass verge
- Impact on local businesses in industrial estate – more congestion
- Access should be from Pinhoe Road not Venny Bridge
- Impact on safety of pedestrians/cyclists using Venny Bridge
- A roundabout should be provided
- Increased pollution
- Should go in Honiton Road development
- Potential overspill parking
- Turning onto Pinhoe Road from Venny Bridge is dangerous already

- Loss of Oak tree – no replacement trees, impact on biodiversity
- Loss of employment land – contrary to Policy CP2 (Sainsbury's)
- As a cleared site, opportunity to deliver new economic development (Sainsbury's)
- Lack of evidence sequential test is passed (Sainsbury's)
- Impact on planned investment of local centre to serve Monkerton/Hill Barton (Sainsbury's)
- Development should be restricted via condition to limited product line deep discount retailing (Sainsbury's)
- Fails sequential test – does not consider Moor Exchange site as sequentially preferable, and does not comply with saved Policy S1 and Policy CP8 (Asda)
- Application does not demonstrate loss of employment land is justified contrary to saved Policy E3 and Policy CP2 (Asda)
- Parking accumulation exercise should be undertaken to demonstrate that the level of parking is acceptable (Asda)
- Moor Exchange is available and suitable for the proposal, and should be considered as sequentially preferable in the sequential test despite not being formally designated a centre (CPG and Growen Estates)
- Moor Exchange is preferable to the site in accessibility terms (CPG and Growen Estates)
- Loss of employment land – conflict with Policy CP2 (CPG and Growen Estates)

The issues raised in the neutral responses were:

- Existing junction already a danger to pedestrians and causes pollution – please confirm no more serious impact from proposals
- Not against store, but thought needs to go into transport links
- There must be a suitable traffic management scheme
- Traffic turning into Venny Bridge do so at speed and turning right into Pinhoe Road is almost impossible – a store will increase traffic/danger and how is a delivery lorry supposed to access the site? A roundabout or traffic lights should be provided.
- The access onto Venny Bridge will cause major problems in an area that already experiences difficulties for cars and pedestrians
- Concerned about potential growth of traffic crossing railway bridge – can it be made one way?
- Building not setback from highway (original plans) – conflicts with saved Policy DG1 (Aldi)

The issues raised in the two representations supporting the proposal were:

- Will be great asset to area, but concerned about extra traffic – a roundabout would help to ease traffic

- Will bring jobs during construction and following completion, as well as increase the economic base in the City (Taylor Wimpey)

12.0 Relevant policies

National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2021) – in particular sections:

- 2. Achieving sustainable development
- 4. Decision-making
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

Planning Practice Guidance (PPG):

- Air Quality
- Climate change
- Community Infrastructure Levy
- Design: process and tools
- Effective use of land
- Flood risk and coastal change
- Healthy and safe communities
- Land affected by contamination
- Light pollution
- Natural environment
- Noise
- Town centres and retail
- Travel Plans, Transport Assessment and Statements
- Use of planning conditions
- Waste
- Water supply, wastewater and water quality

National Design Guide (MHCLG, 2021)

National Model Design Code (MHCLG, 2021)

Manual for Streets (CLG/TfT, 2007)

Cycle Infrastructure Design Local Transport Note 1/20 (DfT, July 2020)
Biodiversity duty: public authority duty to have regard to conserving biodiversity
(Natural England and DEFRA, 13 October 2014)

Development Plan

Core Strategy (Adopted 21 February 2012)

Core Strategy Objectives

CP1 – Spatial Strategy

CP2 – Employment

CP8 – Retail

CP9 – Transport

CP11 – Pollution

CP12 – Flood Risk

CP13 – Decentralised Energy Networks

CP15 – Sustainable Construction

CP16 – Green Infrastructure, Landscape and Biodiversity

CP17 – Design and Local Distinctiveness

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

AP1 – Design and Location of Development

AP2 – Sequential Approach

E3 – Retention of Employment Land or Premises

S1 – Retail Proposals/Sequential Approach

T1 – Hierarchy of Transport Modes

T2 – Accessibility Criteria

T3 – Encouraging Use of Sustainable Modes

T9 – Access to Buildings by People with Disabilities

EN2 – Contaminated Land

EN3 – Air and Water Quality

EN4 – Flood Risk

EN5 – Noise

DG1 – Objectives of Urban Design

DG2 – Energy Conservation

DG3 – Commercial 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

Other Material Considerations

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

DD1 – Sustainable Development

DD3 – Retention of Employment Land

DD5 – Access to Jobs

DD20 – Accessibility and Sustainable Movement

DD21 – Parking

DD25 – Design Principles

DD26 – Designing out Crime

DD30 – Green Infrastructure

DD31 – Biodiversity

DD33 – Flood Risk

DD34 – Pollution and Contaminated Land

Exeter City Council Supplementary Planning Documents:

Sustainable Transport SPD (March 2013)

Trees and Development SPD (Sept 2009)

Devon County Council Supplementary Planning Documents:

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

Exeter City Council Annual Infrastructure Funding Statement (31 December 2020)

Net Zero Exeter 2030 Plan (Exeter City Futures, April 2020)

Green Infrastructure Study (April 2009)

Green Infrastructure Strategy – Phase II (December 2009)

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

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

It is acknowledged that there are certain individual properties where there may be some adverse impact (e.g. noise) and this will need to be mitigated as recommended through imposing conditions to ensure that there is no undue impact on the home and family life for occupiers. However, any interference with the right to a private and family life and home arising from the scheme as result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme, including transport infrastructure and economic benefits.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against 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 the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons 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 had due regard to the matters set out in section 149 of the Equality Act 2010.

15.0 Financial issues

The requirements to set out the financial benefits arising from a planning application is set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development which officers consider are likely to be obtained by the authority if the development is carried out including their value if known and should include whether the officer considers these to be material or not material.

Material considerations

- Transport infrastructure improvements at Pinhoe Road/Venny Bridge junction, including new signals and toucan crossings.
- Up to 40 new jobs plus construction jobs.

Non material considerations

£352,013.00 CIL levy – 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 being out of city centre retail development. The rate at which CIL is charged for this development is £125.00 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 2022 for this development is £185.27.

The proposal will generate business rates.

16.0 Planning assessment

The key issues are:

1. The Principle of the Proposed Development
2. Access and Impact on Local Highways
3. Parking
4. Design and Landscape
5. Impact on Amenity of Surroundings
6. Impact on Trees and Biodiversity
7. Contaminated Land
8. Impact on Air Quality
9. Flood Risk and Surface Water Management
10. Sustainable Construction and Energy Conservation
11. Development Plan, Material Considerations and Presumption in Favour of Sustainable Development

1. The Principle of the Proposed Development

Employment Land Issues

The site is within one of the established employment areas which must be retained in employment use in accordance with Policy CP2, except where their loss would not cause harm to business or employment opportunities, or where there are unacceptable amenity impacts for local residents. The Glossary of the Core Strategy defines Employment Land as: All land and buildings which are used or designated for purposes within Use Class B1 (Business), Class B2 (General Industrial), and Class B8 (Storage and Distribution), and other uses of employment character or which generate substantial employment or economic benefits and which may include sui generis uses such as car showrooms.

In September 2020, the Town and Country Planning (Use Classes Order) 1987 ('the UCO') was amended, including deleting Class B1 and creating Class E. Class E includes the uses that previously fell into Class B1 and retail (except the sale of hot food). Consequently a change of use from B1 to retail and vice versa is no longer development, and does not need planning permission.

The Cover Letter submitted with application ref. 18/1224/DEM stated, 'Pinbrook Court and units comprise a former builder's yard and offices plus the old Dewhurst abattoir and meat packing facility... Since the 1990s the buildings have been subdivided and let to a number of different tenants as basic storage and offices.' The photos submitted with this application show the site being used for a mix of B1 and B2 uses. They also show a bicycle shop, which occupied one of the units from July 2016 to November 2018, which at the time of its closing was not lawful. Despite application ref. 95/0764/FUL (see 8.0 above), there is no clear evidence that any of the units

were used for B8 or had been used for B8 for a continuous period of 10 years, making this use lawful.

Therefore, the lawful use of the site before it was cleared is considered to be mixed B1/B2. However, since the buildings were demolished and the site cleared it is considered that a new planning unit has been formed, which has a nil planning use. The reason for this is because the use of the site for B uses relied on the former buildings on the site being present. Without these buildings, the former uses on the site and the rights that go with them have been lost. This accords with established planning case law based on *Iddenden v Hampshire CC 1972*.

If the buildings on the site had not been demolished and the mixed B1/B2 use remained, then a change of use to Class E(a) (retail) would not have been development, as B1 is now within the same use class as retail (Class E) and article 3, paragraph 4 of the UCO states that where a site is used for Class E(g) (formerly B1) and Class B2 those classes may be treated as a single class for the purposes of this Order.

However, as the site is considered to have a nil planning use, planning permission is required for the proposed use for Class E(a) (retail) (formerly A1), as well as the physical building works.

Saved Policy E3 states, 'The loss of employment land or premises will not be permitted where it would harm business or employment opportunities in the area.' As the site is considered to have a nil planning use and it is not designated as an Employment Site on the Proposals Map of the Exeter Local Plan First Review (adopted March 2005), this policy is no longer considered relevant.

Policy CP2 requires the established employment areas, including Pinhoe, to be retained in employment use, except where their loss would not cause harm to business or employment opportunities or where there are unacceptable amenity impacts for local residents. Members should focus on the word 'retained' here. As the site is considered to no longer have an employment use, this policy is also considered to no longer be relevant.

Notwithstanding, even if the site continued to benefit from B use rights and these policies applied, it is a material consideration that the proposed supermarket will generate employment opportunities – up to 40 new permanent jobs. According to the Employment Density Guide 3rd Edition (HCA, 2015), foodstores generate more employment than most other Class B uses, with the exception of offices and call centres (NB. the Employment Land Appraisal submitted with the application states that an office development would not be viable in this location). Furthermore, it's questionable whether a B2 or B8 use would be appropriate on the site given the proximity of new housing to the south of Pinhoe Road and the change of character of the road as a result of recent new developments. On the other hand, the foodstore

will be within walking distance of a large number of new dwellings within the strategic allocation area to the south, offering opportunities for sustainable movement choices. These material considerations are considered to outweigh any policy conflicts above should they have applied.

Retail Policy Issues

Retail development is defined as a 'Main town centre use' in the NPPF (2021). As the site is in an out of centre location, a sequential test should be applied in accordance with paragraph 87 of the NPPF (2021), Policy CP8 and saved Policy S1. The idea of the sequential test is to check whether there are any available and viable sites that are either in a centre or on the edge of a centre (well connected to and up to 300m from the primary shopping area) that could accommodate the proposal, allowing for flexibility, within its catchment area. If there are, the application should be refused.

The applicant has carried out a sequential test as part of the submitted Planning & Retail Statement Addendum. Appendix D of the report includes a plan showing the indicative catchment areas of the proposed store and other existing discount food stores in the City, i.e. Lidl and Aldi. The catchment area of the proposed store is shown covering the northeast part of the City. However, officers consider that the store is likely to attract shoppers from a wider area, including the residential areas to the north of the City and the entire Monkerton/Hill Barton strategic allocation area to the south.

The applicant has extended their search to centres beyond their indicative catchment area in any case, including: Pinhoe Local Centre, Beacon Lane Local Centre, Whipton Local Centre, Mount Pleasant Local Centre, Polsloe Bridge Local Centre, Sidwell Street Local Centre and Heavitree District Centre. The applicant has also considered the Bus and Coach Station site, and developments incorporating retail uses granted within the Monkerton/Hill Barton strategic allocation area, including Moor Exchange (ref. 19/1461/OUT). The report concludes that there are no sequentially preferable sites that are available and viable, taking into account the size and format of the proposed foodstore. Officers agree with this assessment and consider that the position hasn't changed since the report was written in January 2020.

In regard to Moor Exchange, the applicant considers this site to be unviable because it is not commercially attractive for various reasons, but states in the report that they would not rule out developing a store in this part of the City in addition to the current application site because in their view they would serve different catchments. As discussed above, the Moor Exchange site is considered to be within the catchment area of the proposed store. Not being commercially attractive is not considered sufficient to pass the sequential test – this site is available and viable to deliver the proposal allowing for flexibility, in accordance with paragraph 11 of the Town centres and retail planning practice guidance. However, the Moor Exchange site is not

designated as a centre in the Development Plan. It cannot therefore be taken into account in this way. Furthermore, whilst paragraph 88 of the NPPF (2021) states that preference should be given to accessible sites which are well connected to the town centre when considering out of centre proposals, it is considered that there is no material difference between the two sites in this regard – both are located adjacent to arterial routes with regular bus services, with bus stops within a 400m walking distance (this is the maximum distance to a bus stop that is typically considered sustainable development).

The applicant has also carried out an impact assessment of the proposed development on the vitality and viability of centres in the City, as well as other out of centre supermarkets. It demonstrates that the majority of trade draw will be from existing out of centre supermarkets, in particular Aldi, Pinhoe and the existing Burnthouse Lane Lidl store, which are not protected by planning. There will only be minor impacts on Pinhoe and Whipton Local Centres, Heavitree District Centre and negligible impact on the City Centre. Whilst these impacts raise no concerns, it is important to note that the application falls below the threshold for requiring an impact assessment in any case, therefore a refusal on these grounds would not be justifiable. The nationally set threshold is 2,500 sq m of gross floorspace, whereas the gross floorspace of the proposed store is 1,997 sq m.

Conclusion on the Principle of the Proposed Development

The proposal is considered to be acceptable in principle. The site is considered to have a nil planning use, therefore the proposed use of the site for Class E (retail) (formerly A1) is not considered to conflict with Policy CP2 or saved Policy E3 (retention of employment land), as the site is no longer in employment use. The proposal is for a main town centre use in an out of centre location, but there are considered to be no sequentially preferable sites that are available and viable to accommodate the proposed foodstore, and as the floorspace of the store is below the threshold for requiring an impact assessment, the impact of the store on centres in the City is not a material consideration for this application. Having said this, the impacts are considered low in any case. The proposal is considered to pass the sequential test and accord with Policy CP8 and saved Policy S1 accordingly. The proposed foodstore will generate employment opportunities (up to 40 jobs) and will be within walking distance of a large number of dwellings within the strategic allocation to the south of the site, encouraging sustainable travel. These are sustainability benefits that weigh in favour of the application.

2. Access and Impact on Local Highways

The proposed access to the site and concerns over the impact of the store on the function and safety of local highways are the main reasons the application has taken so long to process and the issues raised most in objections. Vehicular access will be retained off Venny Bridge in close proximity to the junction with Pinhoe Road.

Following extensive engagement with the Highway Authority, the applicant has proposed a solution which the Highway Authority is now satisfied with. This is making the Pinhoe Road/Venny Bridge junction a signalised junction with toucan crossings across each road with straight over crossings, meaning people can press the buttons and cross the roads in one go without waiting on an island half way. This will certainly make the junction much safer for all users and obviously encourage sustainable movement. It is apparent from the representations that people already consider the junction to be unsafe, with some drivers joining Pinhoe Road at speed from Venny Bridge in order to find a gap in the traffic. The signals will therefore not only improve facilities for pedestrians and cyclists, but provide dedicated time for drivers to exit Venny Bridge and join Pinhoe Road. The dedicated time will also prevent queues forming along Venny Bridge during peak hours when it might be more difficult to join Pinhoe Road. When the supermarket is busy, queues will form within the store's car park, not affecting the public highway.

The negative aspect of this is that by 2024 the junction is forecast to operate at approximately 10% over capacity during the PM peak hour on the Pinhoe Road east and west arms with the proposed highways solution in place. This forecast takes into account frequent use of the toucan crossings.

Paragraph 111 of the NPPF (2021) states that, 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.' It's clear that the proposal will improve highway safety at the junction for all users. In regard to the latter, the Highway Authority states that the proposed development will have an impact on traffic flows on Pinhoe Road, however the road already suffers from peak hour congestion and delay, therefore a material change in traffic conditions or a significant change in journey times on the route is unlikely. Therefore, in the context of current conditions, the Highway Authority does not consider the forecast impact on highway capacity and traffic flows to be severe.

It is of course up to the Local Planning Authority to determine the application and come to its own view on whether the impact would be severe or not. However, officers agree with the Highway Authority that a slight delay in journey times for drivers on an already busy road during the PM peak hour would not be a severe impact. This also needs to be balanced against the positive enhancements of providing improved facilities for pedestrians and cyclists, and making the junction safer for all users by making it signalised. It would not fit in with the Council's ambition of becoming a net-zero carbon City by 2030 by prioritising vehicular movement/journey times over the safety and priority of pedestrians and cyclists. Whilst buses will also be affected, saved Policy T1 and paragraph 112 of the NPPF both give greater priority to pedestrian/cycle movements over public transport.

Therefore, the proposal is considered to accord with Policy CP9, saved Policies T1, T2 and T3, and chapter 9 of the NPPF (2021).

3. Parking

The parking standard for food retail set in saved Policy T10 is 1 space per 14 sq m. Following the publication of the NPPF (2012), the Sustainable Transport SPD (2013) changed the parking standards from maximum standards to indicative standards. However, paragraph 108 of the NPPF (2021) allows maximum standards again where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising density in centres and locations with good public transport. The site is considered appropriate for applying the standards as maximum standards (see discussion under 2 above).

The maximum parking standard for the size of the foodstore is 135 spaces. Therefore, the proposed 104 spaces is acceptable and accords with saved Policy T10.

Saved Policy T10 and the Sustainable Transport SPD require a minimum of 3 bays or 6% of the total (6), whichever is greater, to be disabled spaces. Therefore, the proposed 7 disabled parking spaces is acceptable.

Paragraph 6.5 of the Sustainable Transport SPD states that retail facilities should be future-proofed for electric vehicles. Paragraph 107 of the NPPF (2021) states that policies for local parking standards should take into account the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. The proposed car park includes two electric vehicle charging spaces, which is considered acceptable in the absence of standards quantifying how many such spaces should be provided for different uses.

The Sustainable Transport SPD sets minimum cycle parking standards. In accordance with the standards, the minimum number of staff cycle spaces required is four and the minimum number of customer spaces required is 10. The plans show six cycle stands in front of the building providing 12 spaces. The Transport Assessment Addendum states that 6 will be for staff and 6 for customers. This does not meet the required standards. Furthermore, it's considered that the spaces should be moved closer to the entrance of the building for convenience and to encourage this mode of sustainable travel. Cycle parking should also be provided for cargo bikes. A condition should be added to address this.

Paragraph 5.3 of the Sustainable Transport SPD states that showers, lockers and space to dry clothes must be provided where more than 20 people are employed. A condition should be added to secure these facilities in the building.

4. Design and Landscape

Following revisions to address the comments of the Place Making Officer, the site layout and design of the building are acceptable. The revisions included changing the primary material of the elevations from white cladding to red brick panels with blue brick plinth and piers, which is considered to fit into the character and local distinctiveness of the area better. In addition, the floor area of the building was reduced slightly and it was repositioned further back on the site, so that it was less far forward of the building line along the street. The main elevation was about 11m forward of the building line previously, but it is now about half this and similar to the recently approved Aldi rebuild (ref. 20/0203/FUL).

The Place Making Officer recommended tree planting in the landscaping area in front of the store, which is proposed only for shrub planting. There certainly appears scope for some tree planting here without screening the store to a great degree. Even one or two trees would make a big difference to the quality of the streetscene and dependent on species will help reduce air pollution. The proposed shrubs grow to up to 40cm, which is small in comparison to the size of the building and adjoining highways infrastructure. Therefore, a condition should be added securing a detailed landscaping scheme, to include at least some tree planting, as well as a Landscape and Ecological Management Plan (LEMP) to ensure appropriate long-term management. This is supported by paragraph 131 of the NPPF (2021) stating that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.

5. Impact on Amenity of Surroundings

The Noise Impact Assessment assessed the impact of the proposed plant, which will be relocated to the rear of the building, and the impact of deliveries – unloading and arrival/departure of vehicles. The report is based on the position of the plant and loading bay shown on the original plans. These are approximately 3.5m closer to the northwest site boundary on the revised plans, further away from the sensitive residential uses to the south and east. The report assumes a 2m wall will be built in the path of the nearest noise sensitive receiver (neighbouring residential property on Venny Bridge). It states there will be one or two deliveries a day.

Plant noise is estimated as 3 dB below the existing background noise level at night and 12 dB below the existing background noise level during the day for the most sensitive receiver. 5 dB below background is normally required, but the Environmental Health Officer (EHO) has accepted this as it is within the margin of error. The relevant condition recommended by the EHO should be added.

The noise levels in the report from delivery vehicles and unloading activities are based on measurements taken at other Lidl stores. The report estimates that these will each cause a minor impact at night (4 dB and 5 dB over background

respectively). The report considers this acceptable, suggesting deliveries can take place any time day or night. However, the EHO has recommended a condition limiting the permitted hours for deliveries and waste collection. This is considered appropriate and in accordance with the 'tests' set out at paragraph 56 of the NPPF (2021). A further condition should be added securing the 2m boundary wall (or similar boundary treatment) in accordance with details previously agreed with the Local Planning Authority.

Subject to the conditions above, the proposed development is considered to accord with saved Policy EN5.

6. Impact on Trees and Biodiversity

The Tree Constraints Plan shows an Oak tree in the northwest corner of the site alongside two smaller Ash trees, and a Leyland Cypress hedge adjacent to the east boundary. The Oak and Leyland Cypress are good quality, while the Ash trees are fair. The Arboricultural Impact Assessment states that the Oak is the only notable tree and later states that no trees are planned for removal. However, since the application was submitted the Oak and Ash trees have been felled.

Paragraph 13.11 of the Exeter Local Plan First Review states that new planting allied to the conservation of important existing natural features (including trees) enhances the character and appearance of new development and promotes local distinctiveness. Saved Policy DG1 states development should fully integrate landscape design and ensure that schemes are integrated into the existing landscape of the City, including natural features. This is consistent with paragraph 131 of the NPPF (2021) (see 4 above).

Therefore, it's considered that replacement trees should be provided as part of the soft landscaping works. These will be secured through the condition for a detailed landscaping scheme.

The submitted Ecology Appraisal (Bats & Birds) is based on survey work carried out before the buildings on the site were demolished. This confirmed low levels of common pipistrelle bat activity and some bird nesting. The proposed biodiversity mitigation/enhancement is two bird next boxes/bricks, two bat boxes on the retained trees, and native and wildlife-attracting landscape planting.

Clearly some of the above can no longer be carried out, as the existing trees have been felled. The RSPB questioned the adequacy of the proposed mitigation/enhancement, encouraged a LEMP, more bird and bat boxes, and additional biodiversity enhancement measures. Officers agree and consider that more effort should be put in to biodiversity enhancement in accordance with saved

Policy LS4, and paragraphs 174 and 180 of the NPPF (2021). A Biodiversity Enhancement Plan should be conditioned accordingly.

7. Contaminated Land

The Geo-Environmental Investigation Report (April 2019) was prepared before the buildings were demolished. It identifies potential contamination from past industrial use, including underground fuel storage tanks, and made ground. The intrusive investigation identified a number of contaminants, including asbestos. The Environment Agency and EHO have recommended a pre-commencement condition for a complete contamination investigation and remediation strategy. The Environment Agency has also recommended the Unsuspected Contaminated Land condition. Subject to these conditions being imposed, the proposed development accords with saved Policy EN2.

8. Impact on Air Quality

An Air Quality Technical Note (December 2021) was submitted to take into account the revised highways solution for the scheme and resulting change in traffic flows. It concludes there will be no significant effects on air quality despite a significant increase in traffic on the short stretch of Venny Bridge between the entrance to the car park and junction with Pinhoe Road. This is because there are no residential properties adjacent to the road along this stretch. Further, the new signals will allow traffic to join Pinhoe Road at regular intervals preventing build up on Venny Bridge. Queues in the car park will not affect the neighbouring residential property, due to the distance between them. Notwithstanding, two rapid electric vehicle charging points and cycle parking will be provided in accordance with best practice.

The EHO has no concerns based on this information. Therefore, the proposed development accords with saved Policy EN3, subject to conditions securing the electric vehicle charging points and cycle parking.

9. Flood Risk and Surface Water Management

About 80% of the site is within Flood Zones 2 and 3. Parts are also susceptible to surface water flooding. As the site is not allocated in the Development Plan, the Local Planning Authority must carry out a Sequential Test, in accordance with Policy CP12 and paragraph 161 of the NPPF (2021). Paragraph 33 of the Flood risk and coastal change planning practice guidance states that the area to apply the Test across will be defined by local circumstances relating to the catchment area for the type of development proposed. Officers consider that the catchment area should be the same as that considered appropriate by officers for the main town centre uses sequential test (see 1 above), i.e. the catchment area for the proposed store shown in Appendix D of the Planning & Retail Statement Addendum plus further residential

areas to the north of the City and the entire Monkerton/Hill Barton strategic allocation area to the south. To provide more certainty, the limits can be defined as the boundaries of Pinhoe and Mincinglake & Whipton Wards combined, plus West Clyst in East Devon.

As discussed under 1 above, contrary to the views of the applicant, the Moor Exchange site is considered available and viable to deliver the proposed foodstore, allowing for flexibility. This site is within the catchment area defined by officers for the flood risk Sequential Test above and is within Flood Zone 1 with no evidence of surface water flooding according to the Council's GIS system. Unlike the main town centre uses sequential test, the NPPF does not state that flexibility on issues such as format and scale should be demonstrated when considering the Sequential Test for flood risk. It uses the phrase "reasonably available" (paragraph 162). The PPG states that a "pragmatic approach on the availability of alternatives should be taken". The Moor Exchange site can only be considered available and viable when flexibility is applied given that planning permission ref. 19/1461/OUT includes a foodstore as part of a larger mixed use development with a shared car park. If flexibility is not applied, this site is not available and viable for the proposed store. In the circumstances of the case, officers consider that the phrase "reasonably available" allows for flexibility to be applied on issues such as format and scale. Therefore, whilst the proposal passes the main town centre uses sequential test – as the Moor Exchange site is not within or on the edge of a defined centre, it fails the flood risk Sequential Test, as Moor Exchange is reasonably available, and has a lower risk of flooding. In this circumstance, paragraph 162 of the NPPF states that development should not be permitted. Policy CP12 does not state this – it states that all development proposals must mitigate against flood risk utilising SUDS where feasible and practical.

The NPPF (2021) is a material consideration that should be given a high degree of weight. However, officers consider that there are other material considerations in support of the proposed development that outweigh the conflict with paragraph 162. The site is a vacant, brownfield site within the built-up area of the City. Therefore, it should be prioritised for development in accordance with Objective 1 of the Core Strategy, saved Policy AP2 and paragraph 120 c) and d) of the NPPF; this should be given high weighting. It is considered that housing or employment development on the site would also fail the flood risk Sequential Test, due to the availability of land in the Strategic Allocation areas, as well as other parts of the City (and arguably East Devon) within Flood Zone 1. There is a risk therefore that the site would remain undeveloped if the application was refused, contrary to the aim of making best use of brownfield land. In addition, the proposal is considered to provide other sustainability benefits, most notably job creation and improvements to the Pinhoe Road/Venny Bridge junction making it safer for all users, which will encourage pedestrian and cycle movement. The site is also within walking distance (800m is typically considered sustainable) of a large number of dwellings either built or under construction. Residents of these dwellings are less likely to walk or cycle to a foodstore on the Moor Exchange site, due to the greater distances involved. These sustainability benefits should also be given high weighting, and combined with the

aim to prioritise brownfield sites are considered to outweigh the conflict with paragraph 162 of the NPPF.

Paragraph 34 of the Flood risk and coastal change planning practice guidance states that ultimately the Local Planning Authority needs to be satisfied in all cases that the proposed development will be safe and not lead to increased flood risk elsewhere. In this respect, both the Environment Agency and Lead Local Flood Authority have withdrawn their previous objections based on the revised information submitted. The Flood Risk Assessment Version 9 states that site levels will be set to ensure that only shallow flooding will occur in the car park up to 150mm for the 1 in 100 year plus 40% climate change event, to reduce potential water ingress into the store. The proposal will include SUDS to manage surface water runoff from the store and car park, comprising attenuation tanks beneath the car park that will discharge to Pin Brook at a controlled runoff rate. This will reduce the risk of flooding on the site, as well as downstream. The amount of hardstanding on the site will be slightly reduced as well, due to the addition of soft landscape areas. The Lead Local Flood Authority has recommended a pre-commencement condition to secure the SUDS and a plan showing how any exceedance flows will be safely managed. The Environment Agency has recommended a pre-commencement condition to secure a watercourse maintenance plan for the open Pin Brook behind the site and its implementation before the store is occupied. This will be another benefit of the scheme. A space will be reserved in the car park for Environment Agency maintenance staff to access the culvert debris screen on a permanent basis.

The proposal is therefore considered to accord with Policy CP12, saved Policy EN4 and paragraphs 161c) and 169 of the NPPF (2021), subject to the imposition of conditions. The proposal fails the flood risk Sequential Test, however this is outweighed by the sustainability benefits of the proposal, including bringing a vacant, brownfield site back into use. An Exception Test is not necessary, as shops are defined as a 'less vulnerable' use (see Table 3 of the Flood risk and coastal change planning practice guidance).

10. Sustainable Construction and Energy Conservation

Policy CP15 requires development proposals to demonstrate how sustainable design and construction methods will be incorporated. The revised Design and Access Statement includes a section on sustainability stating that photovoltaic panels will be provided on the roof of the store (layout and number to be confirmed). A PV report was also provided stating that 48,523 kg of carbon dioxide emissions will be avoided each year. Policy CP15 goes on to require non-domestic development to achieve BREEAM Excellent standards from 2013 and are expected to be zero carbon from 2019.

Whilst paragraph 12 of the Climate change planning practice guidance states local planning authorities are not restricted or limited in setting energy performance

standards above the building regulations for non-housing developments, this appears to have been superseded by paragraph 154b) of the NPPF (2021) stating that any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards. In January 2021, the Government consulted on the Future Buildings Standard proposed to apply to new non-domestic buildings from 2025 onwards and on an interim uplift to Building Regulations in 2021, i.e. 27% reduction in carbon emissions compared to the existing standard. The Government's response to the consultation was published in December 2021, which stated that the 2021 uplift has been implemented and the new regulations will come into effect on 15 June 2022.

Given the above, it is not considered appropriate to add a condition requiring the building to be zero carbon in accordance with Policy CP15, however it is considered appropriate to add a condition requiring BREEAM Excellent, which covers other sustainability topics than just energy efficiency. This is consistent with the approach the Council has taken to planning applications for other non-domestic development.

Policy CP13 requires new development of at least 1,000 sq m to connect to any existing or proposed Decentralised Energy Network (DEN) in the locality, unless it can be demonstrated that it would not be viable or feasible to do so. The site is adjacent to the DEN covering the Monkerton/Hill Barton Strategic Allocation area, therefore the standard condition requiring construction in accordance with CIBSE Heat Networks Code of Practice should be imposed.

Policy W4 of the Devon Waste Plan requires planning applications for major development to include a waste audit statement. In this case it has been agreed to add a pre-commencement condition requiring this.

11. Development Plan, Material Considerations and Presumption in Favour of Sustainable Development

Subject to the imposition of conditions, the proposal is considered to accord with the Development Plan as a whole. The proposal is considered to fail the flood risk Sequential Test set in the NPPF, which is a material consideration carrying a high degree of weight; however, there are other material considerations considered to outweigh this conflict, as set out under 9 above. It is considered appropriate to add a condition restricting the sale of comparison goods from the store to no more than 20% of the net sales area, in order to maintain the predominant sale of convenience goods. This is the basis on which the application has been considered. Furthermore, one of the material considerations considered to outweigh the failure of the flood risk Sequential Test is the proximity of the site to new and existing housing, encouraging sustainable movement choices when residents undertake their food shopping. If the store was occupied by a comparison goods retailer, these people are more likely to drive to other supermarkets further away. Policy CP12 (Flood Risk) is arguably not fully up-to-date – whilst it reflects national policy regarding the Sequential Test, it is

not explicit that developments failing the Sequential Test should be refused. However, in terms of the presumption in favour of sustainable development set out in paragraph 11 of the NPPF, the 'tilted balance' is not engaged because the site is in an area at risk of flooding. The balancing exercise carried out under 9 above did not take into account the tilted balance accordingly.

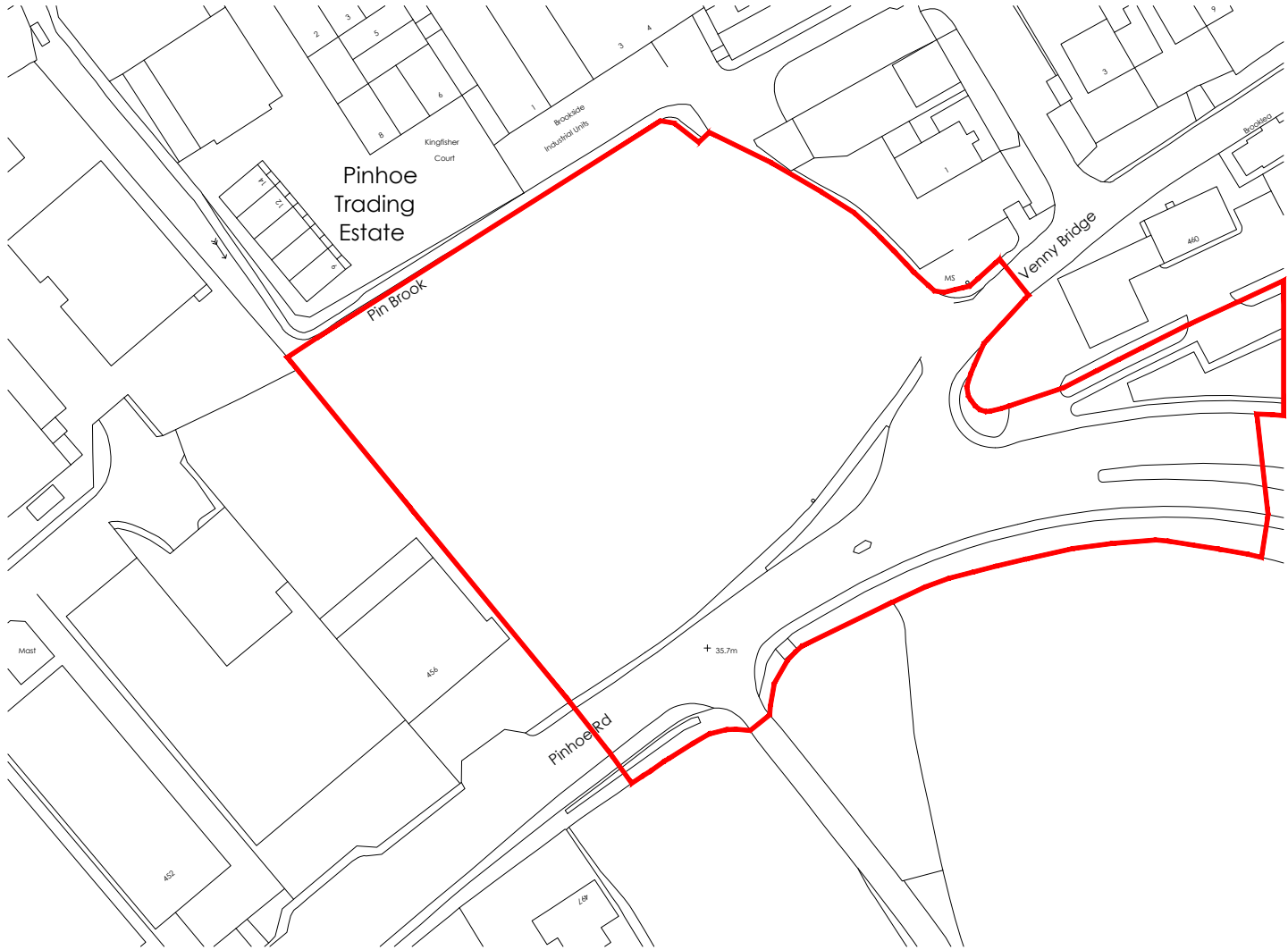
17.0 Conclusion

The proposed development is not considered to conflict with the policies of the Development Plan and would be sustainable development. This is largely due to the fact that the site is located within walking/cycling distance of a large number of new and existing dwellings, some of which are still under construction, and the planned improvements to the Pinhoe Road/Venny Bridge junction making it signalised and incorporating toucan crossings. This will make the junction safer for all users despite a predicted impact on traffic flows along Pinhoe Road in the PM peak in 2024, and will prioritise pedestrian and cycle movement over vehicles. This will support the Council's ambition of the City becoming net zero carbon by 2030. In addition, the proposal will bring a vacant, brownfield site back into use and generate up to 40 permanent jobs. The proposal passes the main town centre uses sequential test, but fails the flood risk Sequential Test, however this is considered to be outweighed by the sustainability benefits described above, which are considered to carry significant weight in the overall planning balance. The proposal will include SUDS reducing the risk of flooding on the site and downstream.

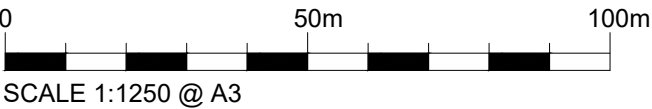
18.0 Recommendation

GRANT PERMISSION with the following conditions:

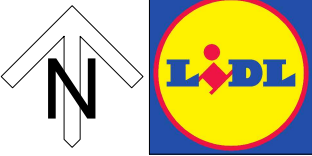
(Details to be provided on the Additional Information Update Sheet before Planning Committee)



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IMPORTANT INFORMATION
Dimensions to be confirmed on site prior to start of works and ODAS to be informed of discrepancies immediately. No dimensions to be scaled from this drawing.
All materials and works are to be carried out in accordance with current British Standards, Planning Approval, current Building Regulations and Codes of Practice.
Party Wall Act - Notices under the Party Wall Act are to be served by the property owner or appointed third party by property owner.
Health and Safety - CDM 2015 Regulations apply to all construction works to be carried out and apply to designers, contractors and the client. As such all parties have duties under these regulations.



Rev	Date	Description	Revised By	Checked By
A	27.02.20	UPDATED TO AMENDED RED LINE	SEN	OGH

Client:
LIDL GREAT BRITAIN LTD.
Chillpark Brake, Clyst Honiton,
Exeter, Devon, EX5 2FU
Project Name:
PINBROOK EXETER
Drawing Title:
SITE LOCATION PLAN
Drawing Status: PLANNING

Project No: 18052
Drawing No: AD_100_REV A
Drawn By: SEN
Checked By: DGH
Date: OCT 2019
Scale @ A3: 1:1250

ONE DESIGN
ARCHITECTURAL SERVICES

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Registered in England & Wales No: 8355643

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REPORT TO: PLANNING COMMITTEE

Date of Meeting: 21 February 2022

Report of: City Development Strategic Lead

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 Service Lead City Development (Roger Clotworthy) or the Deputy Chief Executive (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

Deputy Chief Executive

**All Planning Decisions Made and Withdrawn Applications
between 04/11/2021 and 10/02/2022**

Alphington			
Committee Decision			
Application Number:	15/0641/OUT	Delegation Briefing:	14/05/2020
Decision Type:	Permitted	Date:	24/11/2021
Location Address:	Aldens Farm West Land Between Shillingford Road And Chudleigh Road Alphington Exeter EX2		
Proposal:	Residential development including new access onto Shillingford Road and associated infrastructure (All matters reserved for future consideration except access) [Revised scheme]		
Delegated Decision			
Application Number:	21/0934/FUL	Delegation Briefing:	01/07/2021
Decision Type:	Permitted	Date:	05/11/2021
Location Address:	2 Moonhill Close Exeter Devon EX2 8GA		
Proposal:	Proposed first floor side extension above existing garage.		
Delegated Decision			
Application Number:	21/1289/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	19/11/2021
Location Address:	Sainsburys Alphington Cross Store Alphington Road Exeter Devon EX2 8HH		
Proposal:	Discharge of condition 3 (pedestrian/ cycle route) and condition 6 (external lighting) pertaining to planning permission ref: 20/1752/FUL granted 25/06/2021		
Delegated Decision			
Application Number:	21/1303/FUL	Delegation Briefing:	14/10/2021
Decision Type:	Permitted	Date:	11/11/2021
Location Address:	72 Broadway Exeter Devon EX2 9LZ		
Proposal:	Rear ground floor kitchen extension and terrace.		
Delegated Decision			
Application Number:	21/1363/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	05/11/2021
Location Address:	Land South Of 5 Matford Way Exeter		
Proposal:	Discharge of conditions 4 (Boundary treatment and pedestrian access) and 5 (cycle parking provision) of application no. 21/0509/RES.		

Delegated Decision			
Application Number:	21/1364/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/11/2021
Location Address:	Land South Of 5 Matford Way Exeter		
Proposal:	Non-material minor amendment to the elevations of the building to include the possible 'future windows' annotated on the currently approved plans. (Non-material minor amendment to planning application reference No. 21/0509/RES granted on the 18th August 2021)		
Delegated Decision			
Application Number:	21/1430/FUL	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	04/11/2021
Location Address:	91 Cowick Lane Exeter Devon EX2 9HG		
Proposal:	Proposed garden cabin and BBQ area.		
Delegated Decision			
Application Number:	21/1450/DIS	Delegation Briefing:	
Decision Type:	Permitted	Date:	13/01/2022
Location Address:	Land At Aldens Farm East Chudleigh Road Exeter Devon		
Proposal:	Discharge of condition 7 (cycle parking provision) condition 8 (finished floor levels and roof heights) and Condition 9 boundary treatment & management strategy) of Planning Permission 21/0434/RES.		
Delegated Decision			
Application Number:	21/1498/FUL	Delegation Briefing:	14/10/2021
Decision Type:	Permitted	Date:	02/12/2021
Location Address:	1 Hawthorn Way Exeter Devon EX2 8YT		
Proposal:	Replace existing single storey rear extension.		
Delegated Decision			
Application Number:	21/1506/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	16/11/2021
Location Address:	2 Two Acre Court Twoacre Court Exeter Devon EX2 8YE		
Proposal:	T1 - Oak - Reduction of the overall crown size by 50% - Height to be reduce by 5 metres (max diameter cut size of 6 inches)- 2-3 metres removed from lateral branches, leaving a balanced, compact form. Max diameter cut size of 4inches. Where possible, 3rd order material to be remove, but some larger cuts up to 4 inches in primary/secondary branches may be required.		
Delegated Decision			
Application Number:	21/1514/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	18/11/2021
Location Address:	4 Colands Court Exeter Devon EX2 8YJ		
Proposal:	English Oak, dismantle and remove due to fungus at base.		

Delegated Decision			
Application Number:	21/1515/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	The Briars Nursing Home Crabb Lane Exeter Devon EX2 9JD		
Proposal:	Oak (T1) - Reduce height by 6.5m. Shorten back from roof to give 2m clearance to roof line.		
Delegated Decision			
Application Number:	21/1521/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	18/11/2021
Location Address:	5 Colands Court Exeter Devon EX2 8YJ		
Proposal:	Quercus Robur (T5) - 1-2m crown reduction on south westernly side; Quercus Robur (T4) - 1-2m crown reduction from north east to south westernly side		
Delegated Decision			
Application Number:	21/1556/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Permitted	Date:	23/11/2021
Location Address:	65 Ebrington Road Exeter Devon EX2 8JH		
Proposal:	Replacement of conservatory with single storey extension.		
Delegated Decision			
Application Number:	21/1574/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	25/11/2021
Location Address:	36 Ide Lane Alphington Exeter Devon EX2 8UT		
Proposal:	Replacement of driveway gate and pedestrian gate; new greenhouse in side garden.		
Delegated Decision			
Application Number:	21/1575/LBC	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	25/11/2021
Location Address:	36 Ide Lane Alphington Exeter Devon EX2 8UT		
Proposal:	Replacement of driveway gate and pedestrian gate; new greenhouse in side garden.		
Delegated Decision			
Application Number:	21/1599/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	16/12/2021
Location Address:	7 Cowick Court Exeter Devon EX2 9FE		
Proposal:	Proposed rear single storey extension.		

Delegated Decision			
Application Number:	21/1603/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Partially Approved	Date:	06/12/2021
Location Address:	Sainsburys Alphington Cross Store Alphington Road Exeter Devon EX2 8HH		
Proposal:	Discharge of Condition 7 (Ground Contamination) of PP Ref: 20/1752/FUL.		
Delegated Decision			
Application Number:	21/1614/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	15/12/2021
Location Address:	108 Cowick Lane Exeter Devon EX2 9HE		
Proposal:	Provision of hardstanding in front garden and access to highway.		
Delegated Decision			
Application Number:	21/1679/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	16/12/2021
Location Address:	78 Wellington Road Exeter Devon EX2 9DX		
Proposal:	Replace, existing lean to conservatory, to the side of the kitchen and extend into the rear garden area, by approximately 2m, with single story, flat roof extension, with red brick facade. Remove load bearing wall and fit RSJ.		
Delegated Decision			
Application Number:	21/1698/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	01/12/2021
Location Address:	7 Shillingford Road Exeter Devon EX2 8UB		
Proposal:	NMA - ☐		
Delegated Decision			
Application Number:	21/1699/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Permitted	Date:	14/12/2021
Location Address:	26 Ashwood Road Exeter Devon EX2 8JN		
Proposal:	Two storey Side and rear extension.		
Delegated Decision			
Application Number:	21/1700/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	16/12/2021
Location Address:	22 Chudleigh Road Exeter Devon EX2 8TU		
Proposal:	Two storey rear extension.		

Delegated Decision			
Application Number:	21/1713/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	18/12/2021
Location Address:	89 Cowick Lane Exeter Devon EX2 9HG		
Proposal:	Proposed garden room.		
Delegated Decision			
Application Number:	21/1729/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	24/01/2022
Location Address:	9 Marsh Barton Road Exeter EX2 8YA		
Proposal:	Display of 4No. internally illuminated fascia signs, 4No. non-illuminated fascia signs and 1No. freestanding partly illuminated totem sign by site entrance.		
Delegated Decision			
Application Number:	21/1740/FUL	Delegation Briefing:	02/12/2021
Decision Type:	Permitted	Date:	17/01/2022
Location Address:	Alliance Healthcare Distribution Ltd Cofton Road Marsh Barton Trading Estate Exeter Devon EX2 8QW		
Proposal:	Temporary siting of two mobile fridges on existing yard area (12 months).		
Delegated Decision			
Application Number:	21/1753/FUL	Delegation Briefing:	25/11/2021
Decision Type:	Permitted	Date:	22/12/2021
Location Address:	50 Shillingford Road Exeter Devon EX2 8UB		
Proposal:	Single storey front extension; formation of parking area.		
Delegated Decision			
Application Number:	21/1778/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	06/01/2022
Location Address:	Fair Haven Little Johns Cross Hill Exeter Devon EX2 9PJ		
Proposal:	T1 Acer, remove including stump due to being heavily in decline as end of life expectancy. T2 Maple remove regrowth from former coppicing.		

Delegated Decision			
Application Number:	21/1781/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	02/02/2022
Location Address:	Unit 1 Stone Lane Retail Park Marsh Barton Road Exeter Devon EX2 8LH		
Proposal:	T1, 243 on Survey - Black Locust - Poor vigour, severe vascular dysfunction and signs of canker - Fell and replant.T2, 243 on Survey - Black Locust - Poor vigour, severe vascular dysfunction and signs of canker - Fell and replant.T3, T244 on Survey - Black locust - Hi volume of dead wood over 25mm in diameter. Large cankerous legions just below cluster of branch unions on main stem - Remove dead wood and carry out an overall crown reduction of approximately 2 meters to suitable pruning points.T4, T229 on survey - London Plane - Evidence of historical co-dominant stem failure at approximately 2 meters from ground level. Tree is now heavily leaning towards Costa - Remove tree and replant.T5, G233 on Survey - Black Locust - Multiple areas of decay around main stem and poor vitality - Fell and replant.		
Delegated Decision			
Application Number:	21/1792/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	21/12/2021
Location Address:	3 Church Road Alphington Exeter Devon EX2 8SB		
Proposal:	Replacement rear extension.		
Delegated Decision			
Application Number:	21/1854/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	21/01/2022
Location Address:	11 Ashwood Road Exeter Devon EX2 8JL		
Proposal:	Single storey rear extension and rear dormer loft conversion.		
Delegated Decision			
Application Number:	21/1863/FUL	Delegation Briefing:	23/12/2021
Decision Type:	Permitted	Date:	02/02/2022
Location Address:	3 Hollow Pits Court Exeter Devon EX2 8YG		
Proposal:	Two storey side extension.		

Delegated Decision			
Application Number:	21/1869/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	02/02/2022
Location Address:	Church View Rectory Drive Exeter Devon EX2 8XJ		
Proposal:	Holm Oak, Quercus Ilex, (T1) to be felled to prevent further damage and potential collapse of a listed wall. The Tree is located less than one meter to the listed cob wall as well as it is in close proximity to a listed house which incorporates part of the listed wall as a loadbearing wall. The tree has caused structural damage to the listed wall which is worsening every year (see photographs) The tree is still young and given its rate of growth and future size, the tree is unsuitable for the location. We suggest to replant the area with an Exmouth Magnolia and a selection of Mahonias		
Delegated Decision			
Application Number:	21/1885/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	04/02/2022
Location Address:	Cazoo Customer Centre Denbury Court Marsh Barton Exeter EX2 8NB		
Proposal:	2No. Externally-Illuminated letter signs, 2No. Non-Illuminated letter signs, 1No. Totem, 6No. Directional Signs and glazing manifestation.		
Delegated Decision			
Application Number:	21/1937/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	04/02/2022
Location Address:	Unit 8 Stone Lane Retail Park Marsh Barton Road Exeter Devon EX2 8LH		
Proposal:	Relocation of accessible bays.		
Delegated Decision			
Application Number:	21/1970/FUL	Delegation Briefing:	13/01/2022
Decision Type:	Withdrawn by Applicant	Date:	02/02/2022
Location Address:	94 Corn Mill Crescent Exeter Devon EX2 8TP		
Proposal:	Storage container permanently located in parking bay.		
Duryard And St James			
Delegated Decision			
Application Number:	21/0510/FUL	Delegation Briefing:	15/04/2021
Decision Type:	Refuse Planning Permission	Date:	08/11/2021
Location Address:	Land Adjacent To 17 New North Road New North Road Exeter Devon		
Proposal:	Demolition of existing garages and construction of 4/5 storey building with five, 2-bedroom flats and associated landscaping (Amended Description).		

Delegated Decision			
Application Number:	21/0937/FUL	Delegation Briefing:	01/07/2021
Decision Type:	Permitted	Date:	26/01/2022
Location Address:	On The Site Of Existing Car Park D, University Of Exeter (east Of Amory Building)		
Proposal:	Resubmission of application 20/0284/FUL for the 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.		
Delegated Decision			
Application Number:	21/1001/FUL	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	25/11/2021
Location Address:	The Oaks Lower Argyll Road Exeter Devon EX4 4QZ		
Proposal:	Replacement dwelling, incorporating sections of approved scheme 13/4558/FUL.		
Delegated Decision			
Application Number:	21/1216/FUL	Delegation Briefing:	19/08/2021
Decision Type:	Refuse Planning Permission	Date:	05/11/2021
Location Address:	13C St James Road Exeter Devon EX4 6PY		
Proposal:	Change of use of building from B1 Office use to a dwelling.		
Delegated Decision			
Application Number:	21/1287/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	11/11/2021
Location Address:	8 Velwell Road Exeter Devon EX4 4LE		
Proposal:	Certificate of Lawfulness for a house of multiple occupation (HMO) to increase from six to seven residents (Class C4 to Sui Generis)		
Delegated Decision			
Application Number:	21/1336/FUL	Delegation Briefing:	23/09/2021
Decision Type:	Withdrawn by Applicant	Date:	10/01/2022
Location Address:	45 Pennsylvania Road Exeter Devon EX4 6DB		
Proposal:	Regularisation of the existing use as 3 flats with additional side extension.		

Delegated Decision			
Application Number:	21/1476/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	143 Pennsylvania Road Exeter Devon EX4 6DZ		
Proposal:	Weeping Ash (T1) - Heavy reduction/pollard. Showing major signs of ADB, work recommended to prolong the healthy life of this tree or begin the process of a managed decline to leave as standing deadwood volume. Atlas Cedar (T2) - Remove hazard beam and balance remaining lower canopy, remove deadwood		
Delegated Decision			
Application Number:	21/1504/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	5 Beaumont High Croft Exeter Devon EX4 4JR		
Proposal:	G1 - Cherry x 2, Sycamore x 3, Oak x 2 - Remove 1 leaning Cherry and crown raise remaining to crown raise to 3.5m above garden only, maximum diameter of cut (MDC) 40mm. Prune 3 Sycamore trees on branches growing towards garden, 1 branch removal back to main stem, MDC 100mm. Prune 2 Oak trees, branches overhanging garden. 1 Oak to crown raise over line young seedling Oaks, MDC 40mm and branch removal on Oak tree back to source, MDC 75mm. Reason for works: To achieve more light to the understory shrubs and bushes. Works are considered appropriate management for woodland edge mature trees.		
Delegated Decision			
Application Number:	21/1526/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	08/12/2021
Location Address:	University Of Exeter Forum Stocker Road Exeter Devon EX4 4SZ		
Proposal:	Temporary installation of a marquee (renewal of application 20/1167/FUL).		
Delegated Decision			
Application Number:	21/1527/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	08/12/2021
Location Address:	Lopes Hall St Germans Road Exeter Devon EX4 6TH		
Proposal:	Temporary installation of a marquee (renewal of application ref. 20/1161/FUL).		
Delegated Decision			
Application Number:	21/1528/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	08/12/2021
Location Address:	Existing Car Park B University Of Exeter Rennes Drive Exeter EX4 4RN		
Proposal:	Temporary installation of marquee.		

Delegated Decision			
Application Number:	21/1529/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	08/12/2021
Location Address:	The Ram Quad University Of Exeter Stocker Road Exeter Devon EX4 4PZ		
Proposal:	Temporary installation of a marquee (renewal of application 20/1162/FUL).		
Delegated Decision			
Application Number:	21/1534/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	04/12/2021
Location Address:	56 Cowley Bridge Road Exeter Devon EX4 5AF		
Proposal:	Replace old garage with construction of new garage/workshop.		
Delegated Decision			
Application Number:	21/1558/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	14/12/2021
Location Address:	59 Union Road Exeter Devon EX4 6HU		
Proposal:	Two storey side extension.		
Delegated Decision			
Application Number:	21/1570/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	18/11/2021
Location Address:	78 Victoria Street Exeter Devon EX4 6JG		
Proposal:	Certificate of lawfulness for proposed single storey rear extension, loft conversion, rear dormer and three front roof lights.		
Delegated Decision			
Application Number:	21/1576/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	25/11/2021
Location Address:	Amory Building Rennes Drive Exeter Devon EX4 4RJ		
Proposal:	Amendments to development approved under PP 21/0546/FUL to include: Omission of entrance lobby; Reduction of south stair tower to be in line with main roof height, resulting also in reduction of circular windows by 2no; Removal of brise soleil to all windows; Reduction in height of mesh panels to roof; Removal of footpath and steps to North of building; Removal of steps to south of building up to service compound and replace with footpath to South door to aid escape; Omit demolition and re-build of Amory lean-to building - retain existing lean-to.		

Delegated Decision			
Application Number:	21/1579/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	61 Union Road Exeter Devon EX4 6HU		
Proposal:	TPO 57 (Ref: T5) Evergreen Oak - Prune back the lateral branches which directly overhang the porch area at the front of the house, at 61 Union rd. - A clearance of 1metre from the building is to be gained. A previous cut can be seen adjacent to the main drain pipe running down the side of the house. This can be used as a guide. 9cm diameter pruning cuts, and third order branches to be pruned.- Crown lift over the drive area to a clearance of 5 metres over ground level, so as to match the clearance over the bowling club. 6 inch diamter pruning cuts to be made.Reasons - Leaves permanently filling up the gutters. Although it won't stop the problem completely, the crown drip line will now be clear from this area. The pruning work is fairly minimal, and will not affect the vitality of the tree. Cut sizes are to be kept to a minimum, to reduce the risk of attack from pathogens.		
Delegated Decision			
Application Number:	21/1600/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	22/11/2021
Location Address:	35-36 Sidwell Street Exeter Devon EX4 6NS		
Proposal:	Discharge of condition 11 (management plan) and 18 (travel plan) of 20/0843/FUL		
Delegated Decision			
Application Number:	21/1605/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	10/12/2021
Location Address:	21 Wrefords Drive Exeter Devon EX4 5AU		
Proposal:	Single storey front extension.		
Delegated Decision			
Application Number:	21/1637/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Annexe 15 Argyll Road Exeter Devon EX4 4RX		
Proposal:	T1 Monterey Pine - Tip reduce southern aspect by 1-2m, Maximum Diameter of Cut 75mm. Remove deadwood overhanging Argyll Road only. Reason for works: Damage has occurred to parked cars on several occasions from live and dead branches falling from the tree, tip reduction to reduce weight on heavy branches.		

Delegated Decision			
Application Number:	21/1638/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Refuse Planning Permission	Date:	21/12/2021
Location Address:	16-18 Sidwell Street Exeter Devon EX4 6NN		
Proposal:	Change of use of first and second floor from mixed use (Use Class C3 dwellinghouse and Sui Generis betting office) to House in Multiple Occupation for six residents (Use Class C4).		
Delegated Decision			
Application Number:	21/1646/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	22/12/2021
Location Address:	6 Beaumont High Croft Exeter Devon EX4 4JR		
Proposal:	G1 Ash - Dismantle 11 trees to ground level Reason for works:Trees are showing significant signs of Ash Dieback Disease, all trees are within falling distance of the property or seating area. Remove trees as they are still considered safe to work on using traditional tree climbing methods and the lack of access into the garden means that removal with mechanical assistance is not an option.		
Delegated Decision			
Application Number:	21/1687/LBC	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	13/12/2021
Location Address:	4 Oxford Road Exeter Devon EX4 6QU		
Proposal:	Reslating roof to front elevation.		
Delegated Decision			
Application Number:	21/1714/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	7 West Avenue Exeter Devon EX4 4SD		
Proposal:	Apple TreesA1 - pruning to open and reduce the crown (8m height to 6m, 10m diameter to 8m)) and promote fruitingA2 - pruning to open and reduce the crown (7m height to 5m, 8m diameter 6m) and promote fruitingA3 - pruning to open and reduce the crown (7m height to 5m, 8m diameter 6m)) and promote fruitingA4 - pruning to open and reduce the crown (5m height to 3m, 4m diameter to 3m) and promote fruiting		

Delegated Decision			
Application Number:	21/1757/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	22/12/2021
Location Address:	38 Thornton Hill Exeter Devon EX4 4NS		
Proposal:	<p>1. Holly. Planted by previous owners too close (20-30 cms) to the wall with the adjoining house: 36 Thornton Hill. The neighbouring property is 2 metres below our garden, so there is already strong pressure on the party wall, which is being intensified by the growth of the root system of this tree. Our neighbour (Mrs King) at 36 Thornton Hill has expressed concern about this that we share. Proposed action: to fell and to replace with shrubs with modest root spread.</p> <p>2. Ginkgo Biloba. Planted by previous owners too close (circa 40-50 cms) to the wall with the adjoining house: 36 Thornton Hill. The neighbouring property is two metres below our garden, so there is already strong pressure on the party wall, which is being intensified by the growth of the root system of this tree. The upper branches are also endangering an overhead telephone line. Our neighbour (Mrs King) at 36 Thornton Hill has expressed concern about this that we share. Proposed action: to fell and to replace with shrubs with modest root spread.</p> <p>Judas. Planted by previous owners approximately 3.5 metres from the house. This tree is now taller than the upper floor windows in our house. It causes excessive shade both on the garden and the house. There is also an overhead telephone wire passing through the canopy. Proposed action: to reduce by circa 1.25-1.5 metres and reshape to leave a compact, balanced form.</p>		
Delegated Decision			
Application Number:	21/1793/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	22/12/2021
Location Address:	12 Edgerton Park Road Exeter Devon EX4 6DD		
Proposal:	<p>Bay trees x2 trees. These trees are against the boundary walls of the small back yard of the house. Fell - this is necessary as the tree roots are causing pressure on the party retaining wall. The neighbour has shown us a crack beginning in the wall. The larger bay tree on the perimeter of the property is causing outward pressure on the south retaining wall - a risk to the footpath that runs along the other side of this wall. It is also interfering with wires running overhead. Unfortunately these bay trees cannot be replaced by other trees, as any tree roots will cause the same problem.</p>		
Delegated Decision			
Application Number:	21/1797/FUL	Delegation Briefing:	02/12/2021
Decision Type:	Permitted	Date:	10/02/2022
Location Address:	57 Cowley Bridge Road Exeter Devon EX4 5AF		
Proposal:	<p>Rear, side and roof extensions and alterations, including roof dormer.</p>		

Delegated Decision			
Application Number:	21/1848/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	25/01/2022
Location Address:	5 York Road Exeter Devon EX4 6PQ		
Proposal:	Certificate of lawfulness sought for existing use of property as 3 person HMO (House in Multiple Occupation)/ Use Class C4.		
Delegated Decision			
Application Number:	21/1857/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/12/2021
Location Address:	94 Wrefords Lane Exeter Devon EX4 5BS		
Proposal:	Additional Ramp for WC access.		
Delegated Decision			
Application Number:	21/1892/LPD	Delegation Briefing:	
Decision Type:	Was not lawful use	Date:	04/02/2022
Location Address:	42 Hoopern Street Exeter Devon EX4 4LY		
Proposal:	Change of use of C3 dwellinghouse to C4 small HMO limited to three residents.		
Delegated Decision			
Application Number:	21/1897/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	07/01/2022
Location Address:	37 Hoopern Street Exeter Devon EX4 4LU		
Proposal:	House of Multiple Occupancy (C4 use for three residents).		
Delegated Decision			
Application Number:	21/1912/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	02/02/2022
Location Address:	44 Thornton Hill Exeter Devon EX4 4NS		
Proposal:	We have recently purchased the property located at 44 Thornton Hill, Exeter, EX4 4NS via probate sale from the previous owners' estate/executors. The property and surrounding gardens were and remain in a serious state of disrepair. The garden and trees are extremely overgrown and have not been tended to in decades. We wish to renovate the Edwardian property and surrounding grounds. Given the many years since any garden maintenance has been undertaken, this application relates to the the crown reduction/thinning of three trees located at the front of the property. All are overgrown and have the effect of excessive shading on the property. T1 Olearia Taversii - 40% crown reduction/thinT2 Fir tree - 40% crown reduction T3 Bay tree - 50% crown reduction/thin		

Delegated Decision			
Application Number:	21/1916/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	02/02/2022
Location Address:	44 Thornton Hill Exeter Devon EX4 4NS		
Proposal:	Given the length of time that the property has been both empty/vacant and occupied by elderly residents, the property and gardens are in a very poor condition. We wish to restore the property and gardens. This application specifically relates to a number of trees located in the rear garden. The garden is extremely overgrown and the trees identified in this application require attention for their own health, to reduce shading to the house and other flora/forma within the garden and to restore the garden to a more manageable condition. All trees identified are overgrown and require a mixture of crown reduction/thinning/clean out. T1 Holly - Crown reduction 25%, cleanout/thin 40%T2 and T3 Hazel - Crown thin and reduction 40%T4 Apple - Lift/cleanout to 1.5m, Re-shape 40%T5 Fruit - Dead, fell		
Delegated Decision			
Application Number:	21/1917/DIS	Delegation Briefing:	
Decision Type:	Permitted	Date:	24/01/2022
Location Address:	Amory Building Rennes Drive Exeter Devon EX4 4RJ		
Proposal:	Discharge of Condition 6 (Air Quality Assessment) of Planning Permission ref. 21/0546/FUL for new Centre for Resilience in Environment, Water and Waste (CREWW).		
Delegated Decision			
Application Number:	21/1929/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	02/02/2022
Location Address:	26 Willow Walk Exeter Devon EX4 6RP		
Proposal:	T1. Indian Bean tree. Fell to ground level as excessive shading over small garden and low amenity value.T2. Hornbeam. Fell to ground level as excessive shading over small garden and low amenity value.		
Delegated Decision			
Application Number:	21/1932/FUL	Delegation Briefing:	13/01/2022
Decision Type:	Permitted	Date:	09/02/2022
Location Address:	30 Blackall Road Exeter Devon EX4 4HE		
Proposal:	Replacement uPVC windows and composite doors.		
Delegated Decision			
Application Number:	22/0020/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	02/02/2022
Location Address:	7 West Avenue Exeter Devon EX4 4SD		
Proposal:	Catalpa (C1) - reduce crown by 30% and reduce overall diameter of canopy by 30% to reduce excessive shading. Birch (B1) - reduce crown by 30% to reduce excessive shading and prune back branches overhanging neighbours garden and street.		

Delegated Decision			
Application Number:	22/0021/DIS	Delegation Briefing:	
Decision Type:	Permitted	Date:	03/02/2022
Location Address:	Amory Building Rennes Drive Exeter Devon EX4 4RJ		
Proposal:	Discharge of condition 4 - Construction Method Statement attached to planning permission 21/0546/ful for new Centre for Resilience in Environment, Water and Waste (CREWW)		
Exwick			
Delegated Decision			
Application Number:	21/1126/FUL	Delegation Briefing:	29/07/2021
Decision Type:	Permitted	Date:	20/12/2021
Location Address:	Ebor Foodmarket 6-8 Isleworth Road Exeter Devon EX4 1QU		
Proposal:	Change of use on ground floor from Class E (a) to Sui Generis (Hot Food takeaway); Alterations to frontage to create a new access for the existing first floor flat.		
Delegated Decision			
Application Number:	21/1557/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Northmore House Cleve Lane Exeter Devon EX4 2AR		
Proposal:	TPO 349 T4 - Oak - Crown lift from the neighbours gardens (south east of the tree) by 2 metres. Diameter cut size of maximum 9cm. Third order branches pruned. Reasons - Low overhang causing shading and lack of light to the gardens. TPO 349 G2 - Beech with 'Beech bark disease': Reduce in height by 4 metres, and reshape the lateral branches by up to 20% of branch length. Topping cuts up to 18cm diameter. Side branches pruned to a max 9cm cut.Reasons - Fear of dead wood falling onto the road. There is now dieback in the crown that was not so evident a year ago. I would recommend pruning now to reduce the risk of branches failing over a public space.- Beech Bark disease is evident, due to areas of dying bark, black lesions, and black spots covering the mains stem.- Beech bark disease diagnosed, and evidence provided by Hywel Davies (Arborist -Exe Tree Care ltd)		
Delegated Decision			
Application Number:	21/1720/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	13/12/2021
Location Address:	Luggs Farm Redhills Exeter Devon EX4 1SU		
Proposal:	Revision to approved scheme 20/0420/FUL to reduce the number of conservation roof lights from 5 to 3.		
Delegated Decision			
Application Number:	21/1721/LBC	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	13/12/2021
Location Address:	Luggs Farm Redhills Exeter Devon EX4 1SU		
Proposal:	Revision to approved scheme 21/0421/LBC to reduce the number of conservation roof lights from 5 to 3.		

Delegated Decision			
Application Number:	21/1782/FUL	Delegation Briefing:	09/12/2021
Decision Type:	Withdrawn by Applicant	Date:	19/01/2022
Location Address:	Ground Floor 10-12 Isleworth Road Exeter Devon EX4 1QU		
Proposal:	Change of use from existing Betting Shop (Sui Generis) to a hot food Takeaway (Sui Generis) with associated ventilation/extraction and signage.		
Delegated Decision			
Application Number:	21/1783/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	15/12/2021
Location Address:	Ground Floor 10-12 Isleworth Road Exeter Devon EX4 1QU		
Proposal:	Proposed fascia sign and projecting illuminating sign.		
Delegated Decision			
Application Number:	21/1872/FUL	Delegation Briefing:	23/12/2021
Decision Type:	Permitted	Date:	28/01/2022
Location Address:	83 Buddle Lane Exeter Devon EX4 1JP		
Proposal:	Replace garage with artist studio outbuilding.		
Heavitree			
Delegated Decision			
Application Number:	20/1731/FUL	Delegation Briefing:	21/01/2021
Decision Type:	Refuse Planning Permission	Date:	24/11/2021
Location Address:	7 Barrack Road Exeter Devon EX2 5ED		
Proposal:	Change of use from dwelling house (C3) to create a 7 person HMO (Sui Generis).		
Delegated Decision			
Application Number:	21/1395/FUL	Delegation Briefing:	16/09/2021
Decision Type:	Permitted	Date:	10/12/2021
Location Address:	4 Homefield Road Exeter Devon EX1 2QS		
Proposal:	Reduce height of rear boundary wall (Part retentive and part prospective proposal).		
Delegated Decision			
Application Number:	21/1396/LBC	Delegation Briefing:	16/09/2021
Decision Type:	Permitted	Date:	10/12/2021
Location Address:	4 Homefield Road Exeter Devon EX1 2QS		
Proposal:	Reduce height of rear boundary wall (Part retentive and part prospective proposal).		

Delegated Decision			
Application Number:	21/1518/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	23/12/2021
Location Address:	10 Sivell Place Exeter Devon EX2 5ET		
Proposal:	Second floor rear extension.		
Delegated Decision			
Application Number:	21/1572/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	24/11/2021
Location Address:	Ladysmith Infant School Ladysmith Road Exeter Devon EX1 2PS		
Proposal:	Provision of new glazed entrance lobby, and windows to offices.		
Delegated Decision			
Application Number:	21/1590/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	18/11/2021
Location Address:	37 Sweetbrier Lane Exeter Devon EX1 3AF		
Proposal:	Certificate of lawfulness for proposed hip-to-gable roof extension, rear dormer and one front roof light.		
Delegated Decision			
Application Number:	21/1596/FUL	Delegation Briefing:	16/12/2021
Decision Type:	Permitted	Date:	31/01/2022
Location Address:	40 Polsloe Road Exeter Devon EX1 2DN		
Proposal:	Part demolition of brick wall to give access for Car Parking spaces (Retrospective).		
Delegated Decision			
Application Number:	21/1601/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Permitted	Date:	07/12/2021
Location Address:	23 South Lawn Terrace Exeter Devon EX1 2SW		
Proposal:	Single storey side extension.		
Delegated Decision			
Application Number:	21/1620/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	24/11/2021
Location Address:	5 Vaughan Road Exeter Devon EX1 3DH		
Proposal:	Rear extension and roof conversion; plus change from hipped roof to gable.		

Delegated Decision			
Application Number:	21/1639/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	08/12/2021
Location Address:	5 Wyndham Avenue Exeter Devon EX1 2PQ		
Proposal:	Certificate of Lawfulness for proposed use of property as a House in Multiple Occupation (C4 Use Class) and proposed loft conversion with rear dormer roof extension and two front roof lights.		
Delegated Decision			
Application Number:	21/1642/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	2 Heavitree Park Exeter Devon EX1 3BP		
Proposal:	T1 Sorbus. Fell		
Delegated Decision			
Application Number:	21/1647/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	26/12/2021
Location Address:	77 East Wonford Hill Exeter Devon EX1 3DB		
Proposal:	Single storey rear extension measuring 4m (depth) x 3m (eaves height) x 3m (maximum height).		
Delegated Decision			
Application Number:	21/1704/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	18/12/2021
Location Address:	124 Whipton Lane Exeter Devon EX1 3DL		
Proposal:	Single storey rear extension and roof space conversion with rear dormer.		
Delegated Decision			
Application Number:	21/1711/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	04/01/2022
Location Address:	43 Roseland Avenue Exeter Devon EX1 2TN		
Proposal:	Certificate of lawfulness for proposed hip-to-gable rear roof dormer and new porch.		
Delegated Decision			
Application Number:	21/1716/FUL	Delegation Briefing:	02/12/2021
Decision Type:	Permitted	Date:	21/01/2022
Location Address:	27 Church Street Exeter Devon EX2 5EP		
Proposal:	Change of use from 6 bed HMO (C4 Use Class) to 7 bed HMO (Sui Generis Use Class).		

Delegated Decision			
Application Number:	21/1735/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	23/12/2021
Location Address:	4 Salutory Mount Fore Street Heavitree Exeter Devon EX1 2QE		
Proposal:	Large Cedar tree overhanging garden and driveway. Causes excessive shading as well as sap damage to cars parked in driveway. Proposal is to remove overhanging branches and to reduce higher branches by one third to maintain tree shape and to allow light to penetrate. I do not have the Tree Preservation Order but have been informed by a tree surgeon who has worked on the garden that it is protected. The tree and its approximate spread is marked in green on the sketch map. The boundary of my house, garden and driveway are marked in red. I have also attached photos showing the size and spread of the tree. My neighbour, in whose garden the tree is growing, is quite happy for me to have the work done.		
Delegated Decision			
Application Number:	21/1760/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	03/01/2022
Location Address:	43 Roseland Avenue Exeter Devon EX1 2TN		
Proposal:	Single storey rear extension with dual pitched roof.		
Delegated Decision			
Application Number:	21/1763/FUL	Delegation Briefing:	16/12/2021
Decision Type:	Permitted	Date:	25/01/2022
Location Address:	4 Salutory Mount Fore Street Heavitree Exeter Devon EX1 2QE		
Proposal:	Rebuild and extend utility area in rear annex.		
Delegated Decision			
Application Number:	21/1764/LBC	Delegation Briefing:	16/12/2021
Decision Type:	Permitted	Date:	25/01/2022
Location Address:	4 Salutory Mount Fore Street Heavitree Exeter Devon EX1 2QE		
Proposal:	Rebuild and extend utility area in rear annex.		
Delegated Decision			
Application Number:	21/1771/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	23/12/2021
Location Address:	15 Salutory Mount Fore Street Heavitree Exeter Devon EX1 2QE		
Proposal:	Ash tree (T1) - fell due to poor condition and dangerously overhanging public footpath. Ash tree (T2) - fell due to poor condition and dangerously overhanging public footpath.		

Delegated Decision			
Application Number:	21/1805/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	03/02/2022
Location Address:	1 Mowbray Court Butts Road Exeter Devon EX2 5TQ		
Proposal:	T179 - Fell diseased Ash tree, (inonotus hispidus)		
Delegated Decision			
Application Number:	21/1810/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	23/12/2021
Location Address:	3 Mont Le Grand Exeter Devon EX1 2PD		
Proposal:	Tree description Holm oak (Quercus Ilex) Fell because of excessive shading. Neighbour states that the tree is causing damp in their basement. The tree is substantial and encroaching on the building.		
Delegated Decision			
Application Number:	21/1878/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	03/02/2022
Location Address:	12 Salutory Mount Fore Street Heavitree Exeter Devon EX1 2QE		
Proposal:	1 Ash Tree (Fraxinus exelsior) Due to 'Ash die back' the tree is now unsafe and a risk to neighbours. Remove tree. 2 Ash Tree (Fraxinus exelsior) Due to 'Ash die back' the tree is now unsafe and a risk to neighbours. Remove crown of tree and reduce to safe height. This recommendation is based on the trees being inspected by a Qualified Arborist.		
Delegated Decision			
Application Number:	21/1908/LBC	Delegation Briefing:	06/01/2022
Decision Type:	Permitted	Date:	10/02/2022
Location Address:	9 Church Street Exeter Devon EX2 5EH		
Proposal:	Internal alterations to relocate shower room from ground floor to first floor bedroom.		
Delegated Decision			
Application Number:	22/0019/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	08/02/2022
Location Address:	3A Heavitree Park Exeter Devon EX1 3BP		
Proposal:	T1 medium size beech tree reduce by approx 3 metres in order to maintain appropriate size for location and ensure continuing safety and health of tree. T2 medium size sycamore reduce by approx 3 metres for reasons as above.		

Delegated Decision			
Application Number:	22/0060/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	21/01/2022
Location Address:	27 Church Street Exeter Devon EX2 5EP		
Proposal:	Non-material amendment sought to planning permission ref. 20/1080/FUL approved 23 October 2020 to change upper section of south elevation wall from brickwork to white render (Retrospective Application).		
Mincinglake And Whipton			
Delegated Decision			
Application Number:	21/1438/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	01/12/2021
Location Address:	26 Fairfield Avenue Exeter Devon EX4 8EL		
Proposal:	Single storey rear extension.		
Delegated Decision			
Application Number:	21/1524/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Permitted	Date:	10/02/2022
Location Address:	2 Brook Close Exeter Devon EX1 3JL		
Proposal:	Two storey side extension with front porch and render to existing walls.		
Delegated Decision			
Application Number:	21/1571/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Cheynegate Barton Cheynegate Lane Exeter Devon EX4 9HZ		
Proposal:	Reduction of branch on Oak identified as T2 in the accompanying arboricultural report in the group of 3 oaks noted as G2 on the Exeter City Council TPO 676 plan. The work proposed is to remove the Hazard Beam Split shown in Image 3 of the arboricultural report in the manner described in the report. This will prevent the branch twisting further and breaking in a way which would cause unnecessary damage to both the tree itself and the boundary hedgerow beneath. Also to ensure any risk posed by this branch is managed and to preserve the ecological value of the remainder of the branch. Works to take place as per the recommendations by East Devon Tree Care in their report:.. Reduce split branch to habitat features.. Reduce section of branch growing to north by 6m, to 1m beyond the 100mm diameter, downward growing live branch		
Delegated Decision			
Application Number:	21/1640/FUL	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	02/12/2021
Location Address:	Heath Barton Beacon Heath Exeter Devon EX4 8QW		
Proposal:	Alterations to existing covered area and adjacent spaces to form new family room; Re-roofing kitchen in slate.		

Delegated Decision			
Application Number:	21/1641/LBC	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	02/12/2021
Location Address:	Heath Barton Beacon Heath Exeter Devon EX4 8QW		
Proposal:	Alterations to existing covered area and adjacent spaces to form new family room; Re-roofing kitchen in slate.		
Delegated Decision			
Application Number:	21/1762/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	23/12/2021
Location Address:	The Cedars Neighbourhood Nursery Northbrook Close Exeter Devon EX4 8LD		
Proposal:	T5 according to tree survey. Cedrus atlantica 'Glauca' - minor deadwood throughout and failed branch suspended over drive. Propose to remove deadwood and branch. T6 according to tree survey. Thuja plicata - propose to fell due to stem decay. Tree is in close proximity to the nursery.		
Delegated Decision			
Application Number:	22/0014/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	06/01/2022
Location Address:	14 Hill Barton Road Exeter Devon EX1 3PF		
Proposal:	Replacement of Existing Conservatory and Internal Alterations.		
Newtown And St Leonards			
Delegated Decision			
Application Number:	21/0068/FUL	Delegation Briefing:	11/03/2021
Decision Type:	Permitted	Date:	14/12/2021
Location Address:	Beech House 157-159 Magdalen Road Exeter Devon EX2 4TT		
Proposal:	Reinstate property as no. two, 5-bed dwellingshouse, construction of a part single-storey, part two-storey rear extension and front dormer window, internal and external alterations including removal of external staircase on east elevation, replacement windows and front door including ancillary office, guest suite, games room and cinema room.		
Delegated Decision			
Application Number:	21/0142/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	04/11/2021
Location Address:	45 Parr Street Exeter Devon EX1 2BE		
Proposal:	Loft conversion with rear dormer		

Delegated Decision			
Application Number:	21/0800/FUL	Delegation Briefing:	03/06/2021
Decision Type:	Permitted	Date:	10/11/2021
Location Address:	27 Belmont Road Exeter Devon EX1 2HF		
Proposal:	New stepped access, porch, rear dormer roof extension and alterations to garage.		
Delegated Decision			
Application Number:	21/0896/DIS	Delegation Briefing:	
Decision Type:	Permitted	Date:	18/01/2022
Location Address:	Ambulance Station Gladstone Road Exeter Devon EX1 2EB		
Proposal:	Discharge Conditions 4 (Written Scheme of Archaeological Work), 6 (Noise Impact Assessment), 7 (Contamination Site Investigation and Remediation Strategy) and 8 (Construction Method Statement) of 19/1417/FUL - Demolition of existing buildings and redevelopment of site to provide co-living accommodation with associated accesses/egresses, landscaping and other external works (Revised Scheme).		
Delegated Decision			
Application Number:	21/0925/VOC	Delegation Briefing:	09/09/2021
Decision Type:	Permitted	Date:	05/11/2021
Location Address:	28 Barnfield Road Exeter Devon EX1 1RX		
Proposal:	Variation of condition 2 of Planning Permission ref. 19/0127/FUL to alter position of north wall of 4th floor apartment; reconfigure window arrangement, including removal of north elevation stair windows and simplification of window arrangement on north, south and west elevation.		
Delegated Decision			
Application Number:	21/0949/FUL	Delegation Briefing:	19/08/2021
Decision Type:	Refuse Planning Permission	Date:	21/01/2022
Location Address:	Buckerell Lodge Hotel Topsham Road Exeter Devon EX2 4SQ		
Proposal:	Proposed demolition of hotel and construction of older persons' home providing 60 units and associated car parking.		
Delegated Decision			
Application Number:	21/1198/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	26/11/2021
Location Address:	3 Hampton Buildings Blackboy Road Exeter Devon EX4 6SR		
Proposal:	Discharge of conditions 4 (External Materials), 6 (SAPs) and 7 (Swift Nesting Boxes) pertaining to planning permission ref. 20/0278/FUL approved on 02 October 2020 for the demolition and reconstruction of existing building, and subdivision to provide two self-contained dwellings with associated cycle parking and landscaping works.		

Delegated Decision			
Application Number:	21/1238/PDCD	Delegation Briefing:	09/09/2021
Decision Type:	Prior Approval Required and Granted	Date:	20/01/2022
Location Address:	90 Polsloe Road Exeter Devon EX1 2HW		
Proposal:	Conversion of the existing nursery into a single dwellinghouse.		
Delegated Decision			
Application Number:	21/1297/FUL	Delegation Briefing:	02/09/2021
Decision Type:	Permitted	Date:	17/01/2022
Location Address:	167-168 Sidwell Street Exeter Devon EX4 6RH		
Proposal:	Change of use from ground floor E(a) retail to E(b) Restaurant with ancillary Sui Generis takeaway with new signage and shopfront and extract canopy to rear.		
Delegated Decision			
Application Number:	21/1298/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	15/11/2021
Location Address:	167-168 Sidwell Street Exeter Devon EX4 6RH		
Proposal:	Internally illuminated fascia and projecting sign.		
Delegated Decision			
Application Number:	21/1344/FUL	Delegation Briefing:	09/09/2021
Decision Type:	Permitted	Date:	05/11/2021
Location Address:	28 Barnfield Road Exeter Devon EX1 1RX		
Proposal:	Replacement of undercroft car parking as approved in App Ref. 19/0127/FUL with 2no. apartments with associated external landscape and highway works, increasing the apartments numbers from 7 to 9.		
Delegated Decision			
Application Number:	21/1424/DIS	Delegation Briefing:	
Decision Type:	Permitted	Date:	15/12/2021
Location Address:	7-9 Blackboy Road Exeter Devon EX4 6SG		
Proposal:	Discharge of condition 7 (Archaeology) relating to application 19/0733/ful for the Retention of the Sorry Head public house and demolition of the vehicle servicing centre for redevelopment with a four storey building comprising of a partground floor retail unit (Class A1), purpose built student accommodation development (71 bedspaces) above and associated private amenity space, secure cycle storage, bin storage and landscaping.		

Delegated Decision			
Application Number:	21/1428/FUL	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	18/11/2021
Location Address:	Oak House 54 St Leonards Road Exeter Devon EX2 4LS		
Proposal:	Proposed rear extension, loft conversion and alterations to listed building.		
Delegated Decision			
Application Number:	21/1429/LBC	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	18/11/2021
Location Address:	Oak House 54 St Leonards Road Exeter Devon EX2 4LS		
Proposal:	Proposed rear extension, loft conversion and alterations to listed building.		
Delegated Decision			
Application Number:	21/1436/FUL	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	04/11/2021
Location Address:	Bokenvar Barrack Road Exeter Devon EX2 6AB		
Proposal:	Proposed alterations and extension to dwelling.		
Delegated Decision			
Application Number:	21/1478/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	14 St Leonards Road Exeter Devon EX2 4LA		
Proposal:	T1 Beech. Reduce height by 2m and trim sides to maintain current shape.T2 Birch. Reduce new growth back to previous reduction points.		
Delegated Decision			
Application Number:	21/1500/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	1 Romsey Drive Exeter Devon EX2 4PB		
Proposal:	T1, lime - prune back from house to clear 2m. Trim low growth and clear sign and roadside to boundary and crown lift to 5.2m over the highway. T2, holm oak - prune back by 2m over hazel. Reduce height by approximately 1 - 2m and re-shape to leave a natural form with a radial spread of approximately 2m and a height of approximately 5m.		
Delegated Decision			
Application Number:	21/1507/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	23/12/2021
Location Address:	77 Blackboy Road Exeter Devon EX4 6TB		
Proposal:	Single storey rear extension at ground level.		

Delegated Decision			
Application Number:	21/1512/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	08/12/2021
Location Address:	St Lukes Quad Heavitree Road Exeter Devon		
Proposal:	Temporary installation of a marquee (renewal of application 20/1163/FUL).		
Delegated Decision			
Application Number:	21/1520/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	5 Matford Avenue Exeter Devon EX2 4PP		
Proposal:	Silver Birch (t1) - fell because too close to building. Replant with similar, smaller type of tree (to be agreed with officer) at distance further from house.		
Delegated Decision			
Application Number:	21/1554/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	6 Magdalen Road Exeter Devon EX2 4SY		
Proposal:	T1 - Ash - Fell. Poor example, not suitable for the locationT2 - Magnolia - Pollard @ 3m. Outgrown location but client wishes to keep		
Delegated Decision			
Application Number:	21/1562/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	25/11/2021
Location Address:	2 Wonford Road Exeter Devon EX2 4EQ		
Proposal:	Single storey rear extension and glazing to cover existing front lightwells.		
Delegated Decision			
Application Number:	21/1580/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	24/12/2021
Location Address:	Flat 4 11 Clifton Hill Exeter Devon EX1 2DL		
Proposal:	Install timber sash window in front elevation to match existing.		
Delegated Decision			
Application Number:	21/1581/LBC	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	24/12/2021
Location Address:	Flat 4 11 Clifton Hill Exeter Devon EX1 2DL		
Proposal:	Install timber sash window to front elevation and internal alterations including removal of partitions and installation of en-suite to bedroom one.		

Delegated Decision			
Application Number:	21/1589/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	Former Site Of St Margarets School 147 Magdalen Road Exeter Devon EX2 4TT		
Proposal:	T5 Holm Oak - Crown reduce by approximately 2m to suitable growth points, Maximum Diameter of Cuts (MDC) 40mmT6 Tulip - Reduce height by 1-1.5m MDC 25mm and lateral branches by 2.5m, MDC 60mmT7 Holm Oak - Crown reduce by approximately 2m to suitable growth points, MDC 50mmT10 Holm Oak - Crown reduce by 2-3m MDC 80mm. Ensure clearance of 2m to nearby building and crown raise over garden to 2.5m above ground level. Reason for WorksTo contain large trees for new development. The Oaks have become large and ungainly and pruning works of Holm Oaks is considered appropriate management. Tulip tree has been shaded by larger Holm Oak, pruning to try and rebalance and limit risk of limb damage.		
Delegated Decision			
Application Number:	21/1597/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Ground Floor Flat 1 33 Barnfield Road Exeter Devon EX1 1RX		
Proposal:	Ash trim off about 3m as touching windows on three storey house .		
Delegated Decision			
Application Number:	21/1606/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	21/12/2021
Location Address:	12 Magdalen Road Exeter Devon EX2 4SY		
Proposal:	Rear extension with associated alterations.		
Delegated Decision			
Application Number:	21/1607/LBC	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	21/12/2021
Location Address:	12 Magdalen Road Exeter Devon EX2 4SY		
Proposal:	Rear extension to existing Grade II* residential property with associated internal and external accommodation works.		
Delegated Decision			
Application Number:	21/1643/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	06/01/2022
Location Address:	1 Manston Terrace Exeter Devon EX2 4NP		
Proposal:	T1 Eucalyptus . FellT2 Holm Oak coppice. Remove three largest stems.T3 Holm Oak. Remove 4 sub dominant branches from main stem division at 1.5mT4 Monterey Pine. Remove four secondary branches growing over neighbours roof.T5 Magnolia. Cut back branches growing against neighbouring house to boundary wall.T6 Bay. Remove stem against house.T7 Ash x 2. Fell		

Delegated Decision			
Application Number:	21/1649/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Refuse Planning Permission	Date:	04/02/2022
Location Address:	8 Archibald Road Exeter Devon EX1 1SA		
Proposal:	Change of use from 3no. flats (Use Class C3) to 2no. maisonette HMOs/ Houses in Multiple Occupation (Use Class C4) with associated alterations and cycle storage.		
Delegated Decision			
Application Number:	21/1655/LBC	Delegation Briefing:	23/12/2021
Decision Type:	Permitted	Date:	04/02/2022
Location Address:	61 Marlborough Road Exeter Devon EX2 4LN		
Proposal:	Replace existing roof tiles with natural slate and associated works.		
County Decisions			
Application Number:	21/1668/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	6 Radnor Place Exeter Devon EX2 4EH		
Proposal:	The tree is a Mimosa and should be felled because of excessive shading due to having grown too tall for the space. (We planted it originally and didn't realise that it would grow so large.) We will replace with either a small tree that is suitable for the space or a shrub.		
Delegated Decision			
Application Number:	21/1682/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	21 Barnardo Road Exeter Devon EX2 4ND		
Proposal:	Cut branch that overhangs into next door's garden.		
Delegated Decision			
Application Number:	21/1697/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	21 Barnardo Road Exeter Devon EX2 4ND		
Proposal:	Remove 1x Robinia.		
Delegated Decision			
Application Number:	21/1752/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	13/12/2021
Location Address:	St Leonards Practice Athelstan Road Exeter Devon EX1 1SB		
Proposal:	New and permanent external signage, facing on to Barnfield Road.		

Delegated Decision			
Application Number:	21/1774/FUL	Delegation Briefing:	23/12/2021
Decision Type:	Permitted	Date:	04/02/2022
Location Address:	152 Sidwell Street Exeter Devon EX4 6RT		
Proposal:	Installation of external extraction system at rear.		
Delegated Decision			
Application Number:	21/1789/CTY	Delegation Briefing:	
Decision Type:	Raise No Objection	Date:	18/11/2021
Location Address:	New Treetops Short Breaks Nichols Way Polsloe Exeter Devon EX1 2AG		
Proposal:	Installation of external wall insulation, with brick slips finish to match existing - Comment via link in letter.		
Delegated Decision			
Application Number:	21/1790/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	1 Matford Road Exeter Devon EX2 4PE		
Proposal:	Horse Chestnut - Crown lift to a height of approximately 4.5m above ground level, removing tertiary brances only (max cut diameter 75mm)		
Delegated Decision			
Application Number:	21/1795/FUL	Delegation Briefing:	02/12/2021
Decision Type:	Permitted	Date:	07/01/2022
Location Address:	Magdalen Court School Victoria Park Road Exeter Devon EX2 4NU		
Proposal:	Two storey extension to existing sports hall to provide disabled changing facilities, storage and first floor apartment, revision to consented scheme to include reinstating pedestrian access to Wonford Road.		
Delegated Decision			
Application Number:	21/1806/DIS	Delegation Briefing:	
Decision Type:	Permitted	Date:	07/01/2022
Location Address:	Former Site Of St Margarets School 147 Magdalen Road Exeter Devon EX2 4TT		
Proposal:	Discharge condition 16 (obscure glazing) of planning permission ref. 14/1608/FUL - Conversion of former school to create 41 residential units including demolition, conversion and new buildings.		

Delegated Decision			
Application Number:	21/1840/FUL	Delegation Briefing:	20/01/2022
Decision Type:	Permitted	Date:	04/02/2022
Location Address:	Mount St Mary Convent Wonford Road Exeter Devon EX2 4PF		
Proposal:	Change of use from the Convent (Residential Institution C2) to a residential dwelling (C3), associated internal alterations and gates.		
Delegated Decision			
Application Number:	21/1841/LBC	Delegation Briefing:	20/01/2022
Decision Type:	Permitted	Date:	04/02/2022
Location Address:	Mount St Mary Convent Wonford Road Exeter Devon EX2 4PF		
Proposal:	Change of use from the Convent (Residential Institution C2) to a residential dwelling (C3), associated internal alterations and gates.		
Delegated Decision			
Application Number:	21/1844/LBC	Delegation Briefing:	09/12/2021
Decision Type:	Permitted	Date:	20/01/2022
Location Address:	13 St Leonards Road Exeter Devon EX2 4LA		
Proposal:	Remove sashes and cill to internal window to allow open aperture between dining room and kitchen		
Delegated Decision			
Application Number:	21/1867/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	08/02/2022
Location Address:	1 Veitch Close St Leonards Exeter Devon EX2 4AF		
Proposal:	Ash, (T1). reduce leverage on the ends of the limbs by thinning new growth back to the old cuts. (This tree had a crown reduction 7 / 8 years ago.) In the event of the tree contracting Ash Dieback, it is hoped that this will reduce the risk of limb failure (as the wood weakens) before a controlled dismantling can take place.		
Delegated Decision			
Application Number:	21/1891/LED	Delegation Briefing:	
Decision Type:	Was not lawful use	Date:	04/02/2022
Location Address:	2A Blackboy Road Exeter Devon EX4 6SG		
Proposal:	Certificate of lawfulness sought for existing use of property as small House in Multiple Occupation (C4 Use Class).		
Delegated Decision			
Application Number:	21/1902/FUL	Delegation Briefing:	06/01/2022
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	Laurel Cottage Elmside Exeter Devon EX4 6LN		
Proposal:	Construction of 2.45m high wall and gateway between driveway and garden.		

Delegated Decision			
Application Number:	22/0032/LPD	Delegation Briefing:	
Decision Type:	Withdrawn by Applicant	Date:	24/01/2022
Location Address:	37 Clifton Road Exeter Devon EX1 2BN		
Proposal:	Relocating the main entrance to the building in order to provide level access. Amending a number of the existing windows to suit a change in floor level in some areas and to change the frame material in other locations. Revising the internal layout of the building to better suit the new owners' needs.		
Delegated Decision			
Application Number:	22/0059/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	07/02/2022
Location Address:	Clifton Hill Sports Centre Clifton Hill Exeter Devon EX1 2DJ		
Proposal:	Discharge of Condition 5 (Tree protection plan) and 26 (Arboricultural method statement) of planning permission 20/0691/FUL.		
Delegated Decision			
Application Number:	22/0154/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	Maynard School For Girls Denmark Road Exeter Devon EX1 1SJ		
Proposal:	Remove 1x tree to enable new pedestrian entrance.		
Pennsylvania			
Committee Decision			
Application Number:	20/1187/FUL	Delegation Briefing:	22/10/2020
Decision Type:	Permitted	Date:	17/01/2022
Location Address:	Exmouth Junction Gateway Site Prince Charles Road Exeter Devon		
Proposal:	Redevelopment of the site and construction of a part 3, part 5 storey building containing 51 residential units with associated access and servicing arrangements, car parking, landscaping and infrastructure ancillary to the residential use. (Revised)		
Delegated Decision			
Application Number:	21/0910/VOC	Delegation Briefing:	01/07/2021
Decision Type:	Permitted	Date:	06/01/2022
Location Address:	The Old Coal Yard Exmouth Junction Mount Pleasant Road Exeter Devon EX4 7AE		
Proposal:	Outline application for the construction of 400 residential dwellings (Class C3), 65 senior living with care units (Class C2), new public open and green spaces, access road, refurbishment and extension of locally listed former water tower, and associated works (Landscaping reserved for future consideration) (Variation of condition 3 of 19/0650/OUT to carry out minor alterations to the design of Phase 1).		

Delegated Decision			
Application Number:	21/1212/FUL	Delegation Briefing:	16/09/2021
Decision Type:	Permitted	Date:	12/11/2021
Location Address:	Morrison Supermarket Prince Charles Road Exeter Devon EX4 7BY		
Proposal:	Change of use (from Class E to Sui Generis) and installation of car drop off and collection unit with associated parking in existing car park.		
Delegated Decision			
Application Number:	21/1213/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	12/11/2021
Location Address:	Morrison Supermarket Prince Charles Road Exeter Devon EX4 7BY		
Proposal:	Fascia and hoarding type signage on exterior of car drop off and collection unit.		
Delegated Decision			
Application Number:	21/1407/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	6 Pennsylvania Park Exeter Devon EX4 6HB		
Proposal:	T4 - Lime Reduce height to 14m from existing height of 19m and reshape. Maximum diameter of cuts 100mmT11 - Holly Fell (tagged 1576)G2 - Birch Fell (tagged T200)T36 - Lime Reduce height by approximately 4m, maximum diameter of cuts 100mm.		
Delegated Decision			
Application Number:	21/1444/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	11/01/2022
Location Address:	The Old Coal Yard Exmouth Junction Mount Pleasant Road Exeter Devon EX4 7AE		
Proposal:	Non-material amendment to planning permission ref. 21/0910/VOC to add the words 'up to' before '400 residential dwellings' in the proposal description.		
Delegated Decision			
Application Number:	21/1616/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	07/12/2021
Location Address:	175 Monks Road Exeter Devon EX4 7BQ		
Proposal:	Certificate of lawfulness for proposed loft conversion with rear dormer and two front roof lights.		
Delegated Decision			
Application Number:	21/1724/FUL	Delegation Briefing:	25/11/2021
Decision Type:	Permitted	Date:	21/12/2021
Location Address:	8 Elliott Close Exeter Devon EX4 5ED		
Proposal:	Build detached garage on front garden.		

Delegated Decision			
Application Number:	21/1754/FUL	Delegation Briefing:	02/12/2021
Decision Type:	Permitted	Date:	04/02/2022
Location Address:	50 Rosebarn Lane Exeter Devon EX4 5DP		
Proposal:	Two storey rear extension.		
Delegated Decision			
Application Number:	21/1758/FUL	Delegation Briefing:	09/12/2021
Decision Type:	Permitted	Date:	28/01/2022
Location Address:	4 Abbey Road Exeter EX4 7BG		
Proposal:	Single storey rear extension.		
Delegated Decision			
Application Number:	21/1796/FUL	Delegation Briefing:	02/12/2021
Decision Type:	Refuse Planning Permission	Date:	31/01/2022
Location Address:	1A Rosebarn Avenue Exeter Devon EX4 6DY		
Proposal:	New dwelling with associated access and parking.		
Delegated Decision			
Application Number:	21/1843/FUL	Delegation Briefing:	16/12/2021
Decision Type:	Withdrawn by Applicant	Date:	17/01/2022
Location Address:	100 Stoke Valley Road Exeter Devon EX4 5ER		
Proposal:	Two storey rear extension.		
Delegated Decision			
Application Number:	21/1852/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	21/01/2022
Location Address:	15 Bridespring Road Exeter Devon EX4 7EU		
Proposal:	Single storey 6m pitched extension to C3 unit.		
Delegated Decision			
Application Number:	21/1894/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	13/01/2022
Location Address:	71 Pinhoe Road Exeter Devon EX4 7HS		
Proposal:	Certificate of lawfulness sought to establish existing use of property as small House in Multiple Occupation (C4 Use Class).		

Delegated Decision			
Application Number:	22/0047/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	27/01/2022
Location Address:	The Old Coal Yard Exmouth Junction Mount Pleasant Road Exeter Devon EX4 7AE		
Proposal:	Non-Material Amendment to planning permission ref. 21/0910/VOC to carry out alterations to the eastern access arrangement by replacing the following approved plans under condition 3:(03)-P-0G0 PL1 - Site - Ground Floor Plan;(03)-P-S004 Rev PL7 - Site - Proposed Site Layout Plan;(03)-P-S006 PL4 - Site - Proposed Movements Plan;(03)-Z3-P-0G0 PL1 - Zone 3 - Ground Floor Plan;13553-HYD-XX-XX-DR-TP-0101 Rev P03 - Site Access Mini-Roundabout General Arrangement Design;60615144-DR-003 Rev D - Site Main Access Roundabout Vehicle Tracking;With:17050-(03)-P-0G0_PL2 - Ground Floor Plan;17050-(03)-P-S004_PL8 - Site Proposed Site Layout Plan;17050-(03)-P-S006_PL5 - Site - Proposed Movement Plan;17050-(03)-Z3-P-0G0_PL2 - Zone 3 Ground Floor Plan;13553-HYD-XX-XX-DR-TP-0101 Rev P07 - Site Access Mini-Roundabout General Arrangement Design;13553-HYD-XX-XX-DR-TP-0301 Rev P04 - Site Access Mini-Roundabout Swept Path Analysis;And adding the following plan to condition 3:17050-(03)-P-S016_PL - Proposed Site Plan Links With Gateway Site;And removing the following approved plan from condition 3:60615144-DR-005 Rev C - Work required outside of red line boundary.In addition, replace '13553-HYD-XX-XX-DR-TP-0101 P03 ('Site Access Mini-Roundabout General Arrangement Design')' with '13553-HYD-XX-XX-DR-TP-0101 Rev P07 ('Site Access Mini-Roundabout General Arrangement Design')' in conditions 28 and 29.		
Delegated Decision			
Application Number:	22/0075/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	28/01/2022
Location Address:	The Old Coal Yard Exmouth Junction Mount Pleasant Road Exeter Devon EX4 7AE		
Proposal:	Non-Material Amendment to planning permission ref. 21/0910/VOC to change the wording of Condition 43 as follows so that it relates to Phase 2 only:Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no development of the type described in the following Class of Schedule 2 shall be undertaken within Phase 2 of the development without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:Part 3, Class L - small HMOs to dwellinghouses and vice versa		

Pinhoe

Delegated Decision

Application Number:	19/0203/DIS	Delegation Briefing:	
Decision Type:	Permitted	Date:	12/11/2021
Location Address:	Land To The West Of Cumberland Way, Exeter Hollow Lane Exeter EX1 3RW		
Proposal:	Discharge conditions 4 (Construction Surface Water Drainage Scheme), 5 (Permanent Surface Water Drainage Scheme), 8 (BREEAM), 10 (Waste Audit Statement), 14 (Bird Nesting Provision), 15 (External Lighting), 16 (Detailed Landscaping Scheme) and 17 (LEMP) of pp. 18/1239/VOC - Construction of care facility (66 beds) with associated means of access, access road, car parking, landscaping and associated infrastructure. (Vary condition 2 of pp. 18/0221/FUL - minor material amendments to design)		

Delegated Decision

Application Number:	21/0385/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	11/11/2021
Location Address:	358A Pinhoe Road Exeter Devon EX4 8AJ		
Proposal:	Discharge of conditions 3 (Noise Impact Assessment), 4 (kitchen ventilation system details), 5 (waste and litter management plan) and 6 (brick sample for new chimney) pertaining to planning permission ref. 20/0457/FUL approved on 27 August 2020.		

Committee Decision
<p>1. The committee has reviewed the proposed changes to the curriculum and has found them to be appropriate and necessary for the program.</p> <p>2. The committee has recommended that the proposed changes be implemented as soon as possible.</p> <p>3. The committee has recommended that the proposed changes be implemented in a phased manner, with the first phase being implemented in the fall semester and the second phase being implemented in the spring semester.</p> <p>4. The committee has recommended that the proposed changes be implemented in a manner that is consistent with the program's goals and objectives.</p> <p>5. The committee has recommended that the proposed changes be implemented in a manner that is consistent with the program's budget.</p>

Application Number:	21/1054/RES	Delegation Briefing:	05/08/2021
Decision Type:	Permitted	Date:	17/11/2021
Location Address:	Land For Residential Development At Hill Barton Farm Hill Barton Road Exeter Devon		
Proposal:	Approval of reserved matters of layout, scale, appearance and landscaping of planning permission ref. 19/1375/OUT - Outline application for up to 200 dwellings.		

Delegated Decision

Application Number:	21/1379/FUL	Delegation Briefing:	09/12/2021
Decision Type:	Permitted	Date:	10/01/2022
Location Address:	Land To The Rear Of 26 Harrington Lane Exeter Devon EX4 8PB		
Proposal:	Construction of three detached dwellings.		

Delegated Decision			
Application Number:	21/1380/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Station Road Pinhoe Playing Fields Station Road Pinhoe Exeter Devon		
Proposal:	Quercus cerris (T1) - Reduce regrowth and over extending limbs of eastern aspect adjacent No8 Hummingbird close by 3m to reduce wind leverage on already compromised stem base and rebalance crown.2 man days		
Delegated Decision			
Application Number:	21/1414/FUL	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	04/11/2021
Location Address:	45 Parkers Cross Lane Exeter Devon EX1 3TA		
Proposal:	Infill rear extension, garage conversion and extension to existing porch to form WC.		
Delegated Decision			
Application Number:	21/1457/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Permitted	Date:	19/11/2021
Location Address:	37 Venny Bridge Exeter Devon EX4 8JX		
Proposal:	Single storey side/rear extension replacing existing conservatory.		
Delegated Decision			
Application Number:	21/1485/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	Sainsburys Supermarkets Limited 1 Hill Barton Road Exeter Devon EX1 3PF		
Proposal:	To clear area around PFS offset fills. Reduce back the Lime trees by 3 metres around the offset fill pipes. [Trees highlighted on the plan that was submitted in support of the application are alder. Given that the trees have a similar morphology and appearance to lime, it is assumed that this is simply a case of misidentification.]		

Delegated Decision			
Application Number:	21/1523/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	1 St Nicholas Close Exeter Devon EX1 3FL		
Proposal:	T001 - Ash, lots of dead wood. Large limb coming east over cul de sack. Action: remove large limb, remove all deadwood throughout entire crown. Monitor annually as could have Chalara ash dieback.T002 - signs of Chalara ash dieback, fell, urgent. T003 - remove lowest limb at the western side, as has large wound, T004 - oak, split in main truck, starting at 1/2 metre from the ground. Co dominant stems have split 1m from the ground. Signs of fungal growth with the split. Because of the nature of the tree it would be good to retain, however it wpuld need a significant reduction to first suitable growth points above main union split, approximately retaining 3m in height above the split. Install 2 static geffa rope bracket at a suitable height to limit movement in the split. T5 = large lime tree (Tilia x europaea) and needs a crown raise on the western side as large limbs are growing over a garage on the grounds of Gypsy Hill Hotel. See photos of the following suggested scope of works: 1 - Crown raise the lower branches of the lime tree to give a height of 2-3 metres above the garage; remove the limb indicated near the main stem. 2- remove the lower limb on the south west side as it is a long and heavy limb and is directly over the access point to the garage.		
Delegated Decision			
Application Number:	21/1542/TEL	Delegation Briefing:	21/10/2021
Decision Type:	Prior Approval Required and Granted	Date:	20/01/2022
Location Address:	Cumberland Way Monkerton Exeter EX1 3PZ		
Proposal:	Proposed 16.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works.		
Delegated Decision			
Application Number:	21/1569/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Sainsburys Supermarkets Limited 1 Hill Barton Road Exeter Devon EX1 3PF		
Proposal:	Signage not visible from road. To clear tree cover back 2 metres from signage as per the attached photo, ensuring a clear view of the signage from both sides from the roadside.To clear ground cover 1 metre from the base of the signage.		
Delegated Decision			
Application Number:	21/1593/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	07/12/2021
Location Address:	48 Finning Avenue Exeter Devon EX4 8FA		
Proposal:	Loft conversion with rear flat-roof dormer.		

Delegated Decision			
Application Number:	21/1613/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	22/11/2021
Location Address:	19 Pinn Lane Exeter Devon EX1 3QY		
Proposal:	Certificate of lawfulness for proposed single storey rear extension.		
Delegated Decision			
Application Number:	21/1651/ECC	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	14/01/2022
Location Address:	Skate Park Exeter Arena Summer Lane Exeter Devon		
Proposal:	Installation of 3m high x 40m long acoustic fencing and associated landscaping.		
Delegated Decision			
Application Number:	21/1705/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	04/01/2022
Location Address:	Sainsburys Supermarkets Limited 1 Hill Barton Road Exeter Devon EX1 3PF		
Proposal:	Lighting needs clearing for DCD point. To reduce to ground level 1 ash tree obscuring the light as marked on the plan with a red box.		
Delegated Decision			
Application Number:	21/1723/FUL	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	22/12/2021
Location Address:	12 Tokesen Drive Exeter Devon EX4 8FT		
Proposal:	Hip to gable attic conversion.		
Delegated Decision			
Application Number:	21/1731/FUL	Delegation Briefing:	25/11/2021
Decision Type:	Permitted	Date:	22/12/2021
Location Address:	Cherryhayes Pinn Lane Exeter Devon EX1 3RG		
Proposal:	Single storey side and rear extension to provide utility room.		
Delegated Decision			
Application Number:	21/1949/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	04/02/2022
Location Address:	Pinhoe Quarry Harrington Lane Exeter Devon EX4 8DT		
Proposal:	Discharge of condition no. 3 (cycle parking/storage) of application 19/1100/RES.		

Delegated Decision			
Application Number:	21/1951/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	11/01/2022
Location Address:	18 Church Hill Exeter Devon EX4 9EX		
Proposal:	Non material amendment to application 19/1446/FUL to subdivide bedroom 3 into two bedrooms.		
Delegated Decision			
Application Number:	21/1961/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	26/01/2022
Location Address:	Land Between Pinn Lane And Grenadier Road Exeter Business Park Grenadier Road Exeter Devon		
Proposal:	Discharge of conditions 3 (Materials); 4 (Construction Management Plan) and 5 (Noise) of planning permission 21/0778/FUL.		
Delegated Decision			
Application Number:	22/0003/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	25/01/2022
Location Address:	384 Pinhoe Road Exeter Devon EX4 8EF		
Proposal:	Ground floor of extension to be render rather than brick. First floor extension to remain as brick (non-material amendment to 19/0303/FUL).		

Delegated Decision			
Application Number:	22/0022/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	Park House Park Lane Exeter Devon EX4 9HQ		
Proposal:	<p>Tree Species:Works: No.T424 Hawthorn Fell T425 Ash Remove long low branch back to main union with stem, diameter of cut approximately 150mm.T426 Monterey Cypress Reduce height by 5m from existing 30m, maximum diameter of cuts approximately 200mm.G427 Turkey Oak (4) Fell four marked stems.G428 Turkey Oak (2) Fell southerly stem from tagged tree (marked with paint dot). Cut back crown of companion stem to a line with neighbouring garden fence or to appropriate growth points. Maximum diameter of cuts approximately 50mmReason for Works: Tree SpeciesNo T424 Hawthorn Almost dead tree growing on top of bank above neighbouring propertyT425 Ash Tree in shelterbelt along boundary with neighbouring properties (The Laurels). One low long hyper-extended branch extending over neighbouring property to east. Dysfunction and decay at base of this branch.T426 Monterey Cypress Twin stem tree, in good physiological condition with a full crown other than where previously crown raised over highway. Suggest light crown reduction so as to reduce risk of stem failureG427 Turkey Oak (4) Group of four smaller lesser quality stems growing on face of bank over B3181. Trees lean and extend over B3181 and BT cables. Tagged tree may be propped on crown of smaller tree below. G428 Turkey Oak (2) Two trees growing on edge of bank above Park Lane. Tagged tree is a twin stem specimen, southerly (roadside) stem extends over highway and over neighbouring property on southern side of Park Lane. Crown of companion tree growing 3m to east of tagged tree extends over neighbouring garden.</p>		
Priory			
Delegated Decision			
Application Number:	21/0947/FUL	Delegation Briefing:	01/07/2021
Decision Type:	Withdrawn by Applicant	Date:	09/11/2021
Location Address:	The Old Barn Countess Wear House 59 Countess Wear Road Exeter Devon EX2 6LR		
Proposal:	Refurbishment and extension to dwelling, replacement of detached garage with living accommodation.		
Delegated Decision			
Application Number:	21/0948/LBC	Delegation Briefing:	01/07/2021
Decision Type:	Withdrawn by Applicant	Date:	09/11/2021
Location Address:	The Old Barn Countess Wear House 59 Countess Wear Road Exeter Devon EX2 6LR		
Proposal:	Refurbishment and extension to dwelling, replacement of detached garage with living accommodation.		

Delegated Decision			
Application Number:	21/1137/FUL	Delegation Briefing:	07/10/2021
Decision Type:	Permitted	Date:	24/11/2021
Location Address:	Royal Devon And Exeter Hospital Barrack Road Exeter Devon		
Proposal:	Extension to Accident and Emergency department by construction of part two storey and part single storey extension to north elevation of main building, demolition of existing boiler house, replacement car parking and landscaping		
Delegated Decision			
Application Number:	21/1487/VOC	Delegation Briefing:	09/12/2021
Decision Type:	Permitted	Date:	21/01/2022
Location Address:	8 Dryden Road Exeter Devon		
Proposal:	Variation of condition 2 (Plans) to Planning Application Ref: 19/0429/FUL, granted 30 May 2019, to amend Proposed Plans numbered FH AL (-) 30 (GF), FH AL (-) 41 (First Floor) and FH AL (-) 42 (Second Floor) for Change of Use from former public house (Use Class A4) to four apartments (Use Class C3) including demolition of existing garage block.		
Delegated Decision			
Application Number:	21/1488/FUL	Delegation Briefing:	14/10/2021
Decision Type:	Permitted	Date:	12/11/2021
Location Address:	15 Chaucer Avenue Exeter Devon EX2 6BR		
Proposal:	Rear single and two storey extension.		
Delegated Decision			
Application Number:	21/1532/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Permitted	Date:	14/12/2021
Location Address:	15 Cherry Gardens Exeter Devon EX2 5DJ		
Proposal:	Single storey rear extension.		
Delegated Decision			
Application Number:	21/1604/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	10/12/2021
Location Address:	353 Topsham Road Exeter Devon EX2 6EZ		
Proposal:	Demolition of existing rear extension and conservatory; construction of single storey rear extension and storm porch to side elevation.		
Delegated Decision			
Application Number:	21/1685/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Permitted	Date:	16/12/2021
Location Address:	13 Earl Richards Road North Exeter Devon EX2 6AQ		
Proposal:	Rebuild and enlarge existing side extension; landscaping to front drive.		

Delegated Decision			
Application Number:	21/1686/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	04/01/2022
Location Address:	Royal Devon And Exeter Hospital Barrack Road Exeter Devon		
Proposal:	Proposed works: 165 Monterey Pine - Reduce branch back from cable to achieve >1 metre clearance, maximum cut diameter (MCD) 100mm.168 Monterey Pine - Reduce branch back from cable to achieve >1 metre clearance, maximum cut diameter (MCD) 100mm.170 Birch - Fell.172 Monterey Pine - Fell.Reasons for Works:165 Monterey Pine - Branch rubbing on telecoms cable. 168 Monterey Pine - Branch rubbing on telecoms cable. 170 Birch - Tree is almost dead and within falling distance of telecoms, highway and buildings. 172 Monterey Pine - Tree is almost dead and within falling distance of telecoms, highway and buildings.		
Delegated Decision			
Application Number:	21/1837/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	39 Alice Templer Close Exeter Devon EX2 6AE		
Proposal:	T1 - Monterey Pine Reduce crown height and spread by maximum 2m. Existing spread 8m, existing height 15m. Maximum diameter of cuts 100mm Reason for Works: Monterey Pines are exceptionally vigorous, fast growing trees capable of reaching a very large size in a relatively short period of time. Trees can reach 20m height in less than 20 years and 30m in 40 years. As with most conifers, the species is unsuited to hard pruning and will not reshoot if branches are pruned back beyond live foliage. The species produces large, heavy cones that are generally firmly affixed to branches but which can cause damage to lighter structures when they are shed. The dense, dark crown produces a deep shade and old needles are shed throughout the year. In all cases this is ultimately a very large, dominating tree that requires plenty of space in which to grow. This tree can now only reasonably be retained within its relatively limited growing space via a cutting back of its entire crown on a regular basis. This tree has been subject to previous approved reduction works 2010 and 2015.		
St Davids			
Delegated Decision			
Application Number:	21/0757/FUL	Delegation Briefing:	03/06/2021
Decision Type:	Permitted	Date:	05/11/2021
Location Address:	36, 37 And 38 High Street Exeter EX4 3LN		
Proposal:	External changes to the shopfronts and facade, reconfiguring of ground floor and basements of retail units and change of use of upper floors to student accommodation comprising a total of 24 bedrooms configured within eleven self-contained student apartments.		

Delegated Decision			
Application Number:	21/0857/LBC	Delegation Briefing:	17/06/2021
Decision Type:	Permitted	Date:	11/11/2021
Location Address:	Wynards Magdalen Street Exeter Devon EX2 4HX		
Proposal:	Internal alterations to provide WC, small pantry, storage and heating.		
Delegated Decision			
Application Number:	21/0859/FUL	Delegation Briefing:	17/06/2021
Decision Type:	Refuse Planning Permission	Date:	10/12/2021
Location Address:	Unit 5 Tan Lane Exeter Devon EX2 8EG		
Proposal:	Demolition of existing industrial unit and construction of a two storey building consisting of ground floor office and first floor u3-bedroom dwelling unit with roof garden.		
Committee Decision			
Application Number:	21/1104/FUL	Delegation Briefing:	16/09/2021
Decision Type:	Permitted	Date:	24/01/2022
Location Address:	The Harlequin Centre Paul Street Exeter Devon EX4 3TT		
Proposal:	Development of two Co-Living (Sui Generis) accommodation blocks, following demolition of existing shopping centre and pedestrian bridge, change of use of upper floors of 21-22 Queen Street to Co-Living (Sui Generis), and all associated works including parking, landscaping, amenity areas, public realm improvements, new pedestrian bridge and provision of heritage interpretation kiosk. (Revised)		
Delegated Decision			
Application Number:	21/1123/FUL	Delegation Briefing:	29/07/2021
Decision Type:	Permitted	Date:	20/12/2021
Location Address:	Britayne House 17 Bartholomew Street East Exeter Devon EX4 3BG		
Proposal:	Change of use from Retail (Class E) into one residential unit.		
Delegated Decision			
Application Number:	21/1133/FUL	Delegation Briefing:	09/09/2021
Decision Type:	Permitted	Date:	05/11/2021
Location Address:	Exeter Phoenix Bradninch Place Gandy Street Exeter Devon EX4 3LS		
Proposal:	Installation of 3m wide x 1m high anti-climb fence above existing fire escape of Exeter Phoenix auditorium.		
Delegated Decision			
Application Number:	21/1154/FUL	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	11/11/2021
Location Address:	26 Red Cow Village Cowley Bridge Road Exeter Devon EX4 4AZ		
Proposal:	Ground floor rear extension.		

Delegated Decision			
Application Number:	21/1301/LBC	Delegation Briefing:	14/10/2021
Decision Type:	Permitted	Date:	08/11/2021
Location Address:	2 Colleton Row Exeter Devon EX2 4AT		
Proposal:	Installation of WC and hand basin within first floor bedroom.		
Delegated Decision			
Application Number:	21/1359/LBC	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	25/11/2021
Location Address:	Royal Albert Memorial Museum Queen Street Exeter Devon EX4 3RX		
Proposal:	Various alterations to include: additional oak cladding to 2011 extension; install fall arrest cables to galleries bordering Upper Paul Street; install short access ladders/steps and galvanised steel handrails to parapet over Ancient Worlds gallery; replacement gantry over plant to include handrails and other safety features including bird prevention; and removal of steel frame and new roof felt finish to 2011 extension.		
Delegated Decision			
Application Number:	21/1415/FUL	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	17/11/2021
Location Address:	7 Cathedral Close Exeter Devon EX1 1EZ		
Proposal:	Alterations include installation of lift and demolition of single storey ancillary accommodation, and construction of new single and two-storey accommodation. Installation of air source heat pump and photovoltaic panels.		
Delegated Decision			
Application Number:	21/1416/LBC	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	17/11/2021
Location Address:	7 Cathedral Close Exeter Devon EX1 1EZ		
Proposal:	Alterations include installation of lift and demolition of single storey ancillary accommodation, and construction of new single and two-storey accommodation. Removal of first floor dividing partition, installation of new heating floor trenches in the libraries, balcony strengthening works and environmentally controlled display cases. Installation of air source heat pump and photovoltaic panels.		
Delegated Decision			
Application Number:	21/1454/FUL	Delegation Briefing:	30/09/2021
Decision Type:	Permitted	Date:	04/11/2021
Location Address:	19 Colleton Mews Exeter Devon EX2 4AH		
Proposal:	Replace existing timber double glazed window units with uPVC units.		

Delegated Decision			
Application Number:	21/1491/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Unit 32 Higher Market Guildhall Shopping And Dining Queen Street Exeter Devon EX4 3FB		
Proposal:	1no. fascia sign above shopfront entrance, 2no. internal hanging signs, 1no. menu sign, 2no. vinyl glazing signs.		
Delegated Decision			
Application Number:	21/1492/LBC	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Unit 32 Higher Market Guildhall Shopping And Dining Queen Street Exeter Devon EX4 3EB		
Proposal:	Display signage comprising 1no. fascia sign above shop front entrance, 2no. internal hanging signs, 1no. menu sign, 2no. vinyl glazing signs.		
Delegated Decision			
Application Number:	21/1497/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/01/2022
Location Address:	165 Fore Street St Davids Exeter Devon EX4 3AT		
Proposal:	Signage comprising 1no. Fascia sign above shop front entrance and repainting framework.		
Delegated Decision			
Application Number:	21/1543/LBC	Delegation Briefing:	14/10/2021
Decision Type:	Permitted	Date:	06/12/2021
Location Address:	187-189 High Street Exeter Devon EX4 3DU		
Proposal:	Replacement of fascia and projecting signage.		
Delegated Decision			
Application Number:	21/1586/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	15/12/2021
Location Address:	Exeter Cathedral Cathedral Yard Exeter Devon EX1 1HB		
Proposal:	Extensions and alterations, comprising new Cloister Gallery, new visitor WC facilities, changes to 20th Century roofs and associated works.		
Delegated Decision			
Application Number:	21/1588/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	06/12/2021
Location Address:	187-189 High Street Exeter Devon EX4 3DU		
Proposal:	3 No. replacement timber fascia signs and 2 No. replacement non-illuminated hanging signs.		

Delegated Decision			
Application Number:	21/1615/LBC	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	04/01/2022
Location Address:	10 Southernhay West Exeter Devon EX1 1JG		
Proposal:	Change of signage on front and back of building.		
Delegated Decision			
Application Number:	21/1634/FUL	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Unit 3 247 High Street Exeter Devon EX4 3PZ		
Proposal:	Works to shop front to include: replacement of existing double door set with new glazed panel and frame; repaint existing framing black; shop front fascia and projecting signs with internally illuminated text; internally illuminated sign to side wall of entrance lobby.		
Delegated Decision			
Application Number:	21/1635/ADV	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Unit 3 247 High Street Exeter Devon EX4 3PZ		
Proposal:	Installation of shop front fascia and projecting signs with internally illuminated text; internally illuminated sign to side wall of entrance lobby.		
Delegated Decision			
Application Number:	21/1645/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	18/11/2021
Location Address:	1 The Cloisters Cathedral Close Exeter Devon EX1 1HS		
Proposal:	T1 Lime. Crown reduce by about 2.5m to previous reduction points and remove sucker growth from stem.		
Delegated Decision			
Application Number:	21/1667/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	16/12/2021
Location Address:	Unit 1 Maclaines Warehouse Haven Road Exeter Devon EX2 8GR		
Proposal:	Insertion of 12 No. removable anchor bolts at 1500mm above ground level into the north west elevation of the building to secure the temporary tent as previously approved in application ref: 20/1316/FUL		
Delegated Decision			
Application Number:	21/1675/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	18/11/2021
Location Address:	Lawn House Friars Green Exeter Devon EX2 4DB		
Proposal:	Magnolia Grandiflora Exmouthiensis - reduce height by 1m, thin by 10%. Acer - reduce crown by 1-1.5m.		

Delegated Decision			
Application Number:	21/1706/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	35 Southernhay East Exeter Devon EX1 1NX		
Proposal:	To reduce to ground level the limb of 1 Cercis tree leaning towards the path and road as shown in the photos attached. Full removal of 1 limb, approximately 4 metres, but the other main stem is remaining untouched insitu.		
Delegated Decision			
Application Number:	21/1712/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	08/02/2022
Location Address:	St Davids Church Of England Primary School Dinham Road Exeter Devon EX4 4EE		
Proposal:	Silver Birch - Dismantle and stump grind because of root damage to neighbouring property 18 Haldon Road. Cracked kitchen wall, within 1m from the tree, up heave of the block paving. The ground where the tree is situated is 900mm above the ground level of the house and almost the same height as the bottom of the kitchen windows		
Delegated Decision			
Application Number:	21/1730/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	04/01/2022
Location Address:	Clipper Quay The Quay Exeter Devon EX2 4AP		
Proposal:	Works proposed: T1 - Lime - Crown reduce by approximately 4m, remove epicormic growth and ensure improvement to lighting splay from lamppost. Maximum diameter cut (MDC) 70mm. T2 - Lime - Crown reduce by approximately 3-4m and crown raise to comply with the Highways Act 1980. MDC 60mm. T3 - Lime - Crown reduce by 2m and crown raise to comply with the Highways Act 1980. MDC 50mm. Reason for works:Management of all three of the trees is an ongoing process, the directors and owners of the trees wish to keep the trees at a height and size suitable for the area.		
Delegated Decision			
Application Number:	21/1738/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/01/2022
Location Address:	Co-op Food Haven Road Exeter Devon EX2 8BP		
Proposal:	Trees are overhanging car parking space. To reduce back to the fence line of mixed Sycamore and Ash trees as marked on the plan to a height of 3.5 metres.		

Delegated Decision			
Application Number:	21/1751/FUL	Delegation Briefing:	09/12/2021
Decision Type:	Permitted	Date:	21/01/2022
Location Address:	The Welcome Cafe Canal Banks Exeter Devon EX2 8DU		
Proposal:	Change of use from ground floor cafe (Use Class E) and upper floor maisonette (Use Class C3) to a single six bed dwelling house (Use Class C3) with associated alterations.		
Delegated Decision			
Application Number:	21/1794/FUL	Delegation Briefing:	16/12/2021
Decision Type:	Permitted	Date:	19/01/2022
Location Address:	Blockspace St Davids Hill Exeter Devon EX4 4BD		
Proposal:	Additional first floor self-storage units.		
Delegated Decision			
Application Number:	21/1813/FUL	Delegation Briefing:	02/12/2021
Decision Type:	Permitted	Date:	11/01/2022
Location Address:	7-9 North Street St Davids Exeter Devon EX4 3QS		
Proposal:	Re-construction of the front facade.		
Delegated Decision			
Application Number:	21/1814/FUL	Delegation Briefing:	16/12/2021
Decision Type:	Permitted	Date:	27/01/2022
Location Address:	7 Smiths Court Willeys Avenue Exeter Devon EX2 8EB		
Proposal:	Replace conservatory with single storey rear extension and installation of side window.		
Delegated Decision			
Application Number:	21/1845/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	01/02/2022
Location Address:	240 High Street Exeter Devon EX4 3NZ		
Proposal:	External illuminated fascia sign and two internally illuminated advertisement screens 125mm from front window.		
Delegated Decision			
Application Number:	21/1856/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	01/02/2022
Location Address:	2 Bagshot Avenue Exeter Devon EX2 4RN		
Proposal:	Conversion of existing loft, including new dormer.		

Delegated Decision			
Application Number:	21/1870/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	The Old School House 18 Palace Gate Exeter Devon EX1 1JA		
Proposal:	T1 - Horse Chestnut - Remove major hazardous deadwood and prune out other unsightly dead branches.Reasons for works:Safety concerns with respect to the deadwood, especially in areas where it overhangs neighbouring venue.		
Delegated Decision			
Application Number:	21/1881/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	White Hart Hotel South Street Exeter Devon EX1 1EE		
Proposal:	G1 - Mixed trees and Shrubs - Crown lift over highway (Western Way) to 6m to remove any obstruction.T2 - Sycamore - section fell to ground level to remove obstruction to street lamp.T3 Poplar - section fell to ground level - tree has been previously topped and tree is dying backing from top downwards.		
Delegated Decision			
Application Number:	21/1915/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	Flat B 2 Bystock Terrace Exeter Devon EX4 4HY		
Proposal:	Elm in significant decline. Fell to ensure safety of the highway is maintained.		
Delegated Decision			
Application Number:	21/1920/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	5 Colleton Crescent Exeter Devon EX2 4DG		
Proposal:	Remove two hollies (T9 and T13) and one Mirabelle plum (T10).Coppice one holly (T12).Remove dead and hanging branches from deodar cedar (T16) and crown-lift to 2m. (Tree subjectto TPO no.38)Modest thinning and tidying of hawthorn (T14).Reduction of diseased fork of holly (T11) to c3m.		
Delegated Decision			
Application Number:	21/1935/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	Barbican Court Exe Street Exeter Devon EX4 3HS		
Proposal:	Previously Pollarded Ash Tree - Dismantle the Ash tree to as low as reasonably possible by means of a chainsaw. This Ash has been Pollarded before and now the weak regrowth is not secure and snapping on the neighbouring properties		

Delegated Decision			
Application Number:	22/0053/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	The Malthouse 7 Haven Road Exeter Devon EX2 8BP		
Proposal:	Maple T1 Reduce by 3metres per Highway Safety report in the interest of highway and pedestrian safety.		
Delegated Decision			
Application Number:	22/0054/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	The Malthouse 7 Haven Road Exeter Devon EX2 8BP		
Proposal:	Devon Highway tree safety report recommendation, to deadwood the Maple as marked on the attached plan and to carry out a crown reduction of 3.0 metres		
St Loyes			
Delegated Decision			
Application Number:	18/0648/SO	Delegation Briefing:	
Decision Type:	Decline to Determine	Date:	27/01/2022
Location Address:	Police Headquarters Devon And Cornwall Constabulary Police Training College Alderson Drive Exeter Devon EX2 7HQ		
Proposal:	Screening opinion		
Delegated Decision			
Application Number:	21/0403/LBC	Delegation Briefing:	
Decision Type:	Withdrawn by Applicant	Date:	23/11/2021
Location Address:	The Lodge 1 Clyst Heath Exeter Devon EX2 7TA		
Proposal:	INTERNAL ALTERATIONS AND EXTENSIONS TO A GRADE 2 LISTED BUILDING.		
Delegated Decision			
Application Number:	21/1059/FUL	Delegation Briefing:	02/09/2021
Decision Type:	Permitted	Date:	08/11/2021
Location Address:	5 Van Buren Place Russell Way Exeter Devon EX2 7TJ		
Proposal:	Replace a stone circle feature within the grounds.		
Delegated Decision			
Application Number:	21/1060/LBC	Delegation Briefing:	02/09/2021
Decision Type:	Permitted	Date:	08/11/2021
Location Address:	5 Van Buren Place Russell Way Exeter Devon EX2 7TJ		
Proposal:	Replace a stone circle feature within the grounds.		

Delegated Decision			
Application Number:	21/1418/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Permitted	Date:	15/12/2021
Location Address:	Exeter Motorway Services Area Sidmouth Road St Loyes Exeter Devon EX2 7HF		
Proposal:	New substation and associate apparatus to support electric vehicle charging point.		
Delegated Decision			
Application Number:	21/1551/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	19/11/2021
Location Address:	169 Honiton Road St Loyes Exeter Devon EX1 3EP		
Proposal:	Detached garage.		
Delegated Decision			
Application Number:	21/1555/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	23/11/2021
Location Address:	28 Quarry Park Road Exeter Devon EX2 5PB		
Proposal:	Replace existing flat roof dormer with larger flat roof dormer; Insert 2no. flush roof lights to east elevation.		
Delegated Decision			
Application Number:	21/1578/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	37 Knights Crescent Exeter Devon EX2 7TG		
Proposal:	T1 Birch Prune back eastern aspect of canopy, overhanging garden of 37 Knights Crescent by 1-2m. Maximum diameter of cuts 50mm, 1 branch at 75mm - Reason for works: Tree is dominant over small garden, prune back canopy to create more light into garden. Works are considered appropriate management to a tree of this species.		
Delegated Decision			
Application Number:	21/1602/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	22/11/2021
Location Address:	70 Honiton Road St Loyes Exeter Devon EX1 3ED		
Proposal:	Certificate of lawfulness for proposed hip to gable loft conversion with dormer; and single storey ground floor extension.		
Delegated Decision			
Application Number:	21/1609/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	07/12/2021
Location Address:	27 Broadfields Road Exeter Devon EX2 5QX		
Proposal:	Removal of conservatory and replace with rear single storey extension.		

Delegated Decision			
Application Number:	21/1648/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Digby And Sowton Rail Station Clyst Halt Avenue Exeter Devon		
Proposal:	Crown lift all trees (various species) adjacent station car park, station associated pedestrian walkways and vehicle access to 3m from ground level to enable safe access for users by removing encroaching branches within parking bays/walkways/access. Crown lifting will only be required on the aspect of the tree that is directly adjacent the car park/walkway/access. Where branches over extend into platform areas raised walkways (e.g. footbridge) the reduction of branches may be required, by pruning branches back by 1-2m in length to maintain clear access.		
Delegated Decision			
Application Number:	21/1656/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	04/01/2022
Location Address:	Police Headquarters Devon And Cornwall Constabulary Police Training College Alderson Drive Exeter Devon EX2 7HQ		
Proposal:	Discharge of condition 3 (materials), condition 5 (CMP) and condition 8 (cycle store) of Planning Permission 20/1482/FUL.		
Delegated Decision			
Application Number:	21/1666/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Refuse Planning Permission	Date:	07/01/2022
Location Address:	Fernleigh Nurseries Ludwell Lane Exeter Devon EX2 5AQ		
Proposal:	Conversion of existing nursery buildings/garage to single dwelling (Resubmission of Refused Planning Application Ref: 20/1678/FUL).		
Delegated Decision			
Application Number:	21/1717/ADV	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	28/01/2022
Location Address:	Philip House Honiton Road St Loyes Exeter Devon EX1 3RU		
Proposal:	Installation of freestanding internally illuminated digital advert display board.		
Delegated Decision			
Application Number:	21/1761/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	04/01/2022
Location Address:	56 Birchy Barton Hill Exeter Devon EX1 3HD		
Proposal:	Construct prefabricated shed to be used as office.		

Delegated Decision			
Application Number:	21/1769/DEM	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	21/12/2021
Location Address:	Middlegrove Woodwater Lane Exeter Devon EX2 5JY		
Proposal:	Demolition of agricultural building.		
Delegated Decision			
Application Number:	21/1788/CTY	Delegation Briefing:	
Decision Type:	Raise No Objection	Date:	18/11/2021
Location Address:	15-21 Rifford Road Exeter Devon EX2 5JT		
Proposal:	Installation of external wall insulation with a painted rendered finish - Use link in letter to make comments.		
Delegated Decision			
Application Number:	21/1828/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	24/12/2021
Location Address:	Nightingale Hospital Osprey Road Exeter Devon		
Proposal:	Discharge condition 4 (details of staff cycle parking) of planning permission ref. 21/1209/FUL - Use of the temporary Nightingale Hospital as a Hospital (C2) for a 2-year period, along with new modular buildings.		
Delegated Decision			
Application Number:	21/1829/FUL	Delegation Briefing:	23/12/2021
Decision Type:	Permitted	Date:	09/02/2022
Location Address:	8 Sandy View Exeter Devon EX2 7PN		
Proposal:	Single storey rear extension and decking over existing boulder wall.		
Delegated Decision			
Application Number:	21/1831/FUL	Delegation Briefing:	09/12/2021
Decision Type:	Permitted	Date:	04/02/2022
Location Address:	47 Birchy Barton Hill Exeter Devon EX1 3EX		
Proposal:	Single storey rear and side extension with roof dormer.		
Delegated Decision			
Application Number:	21/1879/FUL	Delegation Briefing:	23/12/2021
Decision Type:	Permitted	Date:	31/01/2022
Location Address:	19 Grainger Close Exeter Devon EX2 5RL		
Proposal:	Side and rear single storey extension.		

Delegated Decision			
Application Number:	21/1893/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	15/12/2021
Location Address:	28 Purcell Close Exeter Devon EX2 5QS		
Proposal:	Single storey side extension and storm porch to front elevation.		
Delegated Decision			
Application Number:	21/1895/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	04/02/2022
Location Address:	Nightingale Hospital Osprey Road Exeter Devon		
Proposal:	Discharge of Conditions 3 (Travel Plan) of planning permission ref. 21/1209/FUL for Use of former Nightingale Hospital as Hospital. for 2 year temporary period.		
Delegated Decision			
Application Number:	21/1936/FUL	Delegation Briefing:	13/01/2022
Decision Type:	Permitted	Date:	09/02/2022
Location Address:	51 Birchy Barton Hill Exeter Devon EX1 3EX		
Proposal:	Two storey side extension, and single storey front extension.		
Delegated Decision			
Application Number:	22/0034/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	04/02/2022
Location Address:	Nightingale Hospital Osprey Road Exeter Devon		
Proposal:	Graphic wrap signage on the western elevation of a modular unit provided recovery space for patients.		
Delegated Decision			
Application Number:	22/0052/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	27/01/2022
Location Address:	Exeter Motorway Services Area Sidmouth Road St Loyes Exeter Devon EX2 7HF		
Proposal:	Discharge of Condition 3 (relating to 21/1418/ful).		
St Thomas			
Delegated Decision			
Application Number:	21/1074/FUL	Delegation Briefing:	02/12/2021
Decision Type:	Permitted	Date:	06/01/2022
Location Address:	43 Church Road St Thomas Exeter Devon EX2 9AX		
Proposal:	Rear ground floor extension.		

Delegated Decision			
Application Number:	21/1122/FUL	Delegation Briefing:	14/10/2021
Decision Type:	Refuse Planning Permission	Date:	20/12/2021
Location Address:	32 Okehampton Street Exeter Devon EX4 1DY		
Proposal:	Redevelopment of site including construction of 8 dwellings (Class C3), access road and landscaping		
Delegated Decision			
Application Number:	21/1346/FUL	Delegation Briefing:	07/10/2021
Decision Type:	Permitted	Date:	08/11/2021
Location Address:	Morwenna Alphington Street Exeter Devon EX2 8AT		
Proposal:	Change of use of a small HMO (6 bed) to a large HMO (8 bed).		
Delegated Decision			
Application Number:	21/1347/FUL	Delegation Briefing:	07/10/2021
Decision Type:	Permitted	Date:	08/11/2021
Location Address:	Pear Main Alphington Street Exeter Devon		
Proposal:	Change of use of a small HMO (6 bed) to a large HMO (8 bed).		
Delegated Decision			
Application Number:	21/1355/FUL	Delegation Briefing:	04/11/2021
Decision Type:	Withdrawn by Applicant	Date:	12/11/2021
Location Address:	1 Union Street Exeter Devon EX2 9BA		
Proposal:	Loft conversion with dormer at rear and skylights at the front.		
Delegated Decision			
Application Number:	21/1378/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Sylvan Heights Play Area Eton Walk Exeter Devon		
Proposal:	Veteran Red oak (T1) - Shorten 3x primary limbs with decaying wood to points marked on attached pictures as part one of phased retrenchment programme. ECC tree team can be on site to advise. Possibly mowp required. Remove debris. 4 man days.		
Delegated Decision			
Application Number:	21/1431/FUL	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	24/11/2021
Location Address:	1 Union Street Exeter Devon EX2 9BA		
Proposal:	Construction of a rear extension.		

Delegated Decision			
Application Number:	21/1455/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	26/11/2021
Location Address:	69 Queens Road Exeter Devon EX2 9EW		
Proposal:	Proposed rear extensions, dormers and external cladding.		
Delegated Decision			
Application Number:	21/1489/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	25/11/2021
Location Address:	The Gatehouse Pines Road Exeter Devon EX2 9EN		
Proposal:	Change of use from storage to Class E takeaway cafe/community space.		
Delegated Decision			
Application Number:	21/1517/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	21/12/2021
Location Address:	82 Queens Road Exeter Devon EX2 9EW		
Proposal:	Two and single storey side extensions.		
Delegated Decision			
Application Number:	21/1545/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	02/12/2021
Location Address:	3 Crossmead Villas Dunsford Road Exeter Devon EX2 9PU		
Proposal:	Internal and external alterations to include demolition of uPVC conservatory; replacement porch; revised ancillary accommodation and reinstatement of historic features.		
Delegated Decision			
Application Number:	21/1546/LBC	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	02/12/2021
Location Address:	3 Crossmead Villas Dunsford Road Exeter Devon EX2 9PU		
Proposal:	Demolition of uPVC conservatory; replacement porch; revised ancillary accommodation and reinstatement of historic features.		
Delegated Decision			
Application Number:	21/1582/FUL	Delegation Briefing:	28/10/2021
Decision Type:	Permitted	Date:	06/12/2021
Location Address:	86 Regent Street Exeter Devon EX2 9EH		
Proposal:	Proposed single storey rear ground floor extension.		

Delegated Decision			
Application Number:	21/1650/FUL	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	06/12/2021
Location Address:	58 Alphington Road Exeter Devon EX2 8HU		
Proposal:	Replacement single storey rear extension.		
Delegated Decision			
Application Number:	21/1652/LBC	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	06/12/2021
Location Address:	58 Alphington Road Exeter Devon EX2 8HU		
Proposal:	Works to reinstate and refurbish the dwelling, replacement slate roof, and replacement single storey rear extension.		
Delegated Decision			
Application Number:	21/1664/FUL	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	31/01/2022
Location Address:	Quarries Cottage Barley Lane Exeter Devon EX4 1TA		
Proposal:	Single storey rear extension and roof space conversion and extension incorporating inverted dormers		
Delegated Decision			
Application Number:	21/1665/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/01/2022
Location Address:	Orchard House Barley Lane Exeter Devon EX4 1TA		
Proposal:	T1 (TPO 56) - Ash tree (not covered under G2 of Tpo 56, the area this it is in) - Reduce in height by 7 metres, retaining any lateral side branches below this point. (diameter made up to 30cm) Reasons provided by Hywel Davies (Arborist at Exe Tree Care Ltd) - please take this as the written report. - The attached photo of the Ash tree shows the fruiting fungal body (of which I found three), at 6metres high on the main stem. I have diagnosed the pathogen as Inonotus hispidus. This bark killing pathogen has caused a reasonable amount of dieback in the upper crown. - I would recommend removing the tree, mostly because its is in a wooded group which protects itself like a single entity, developing reaction wood to stresses as years go by. - I do think it is likely that the upper crown will start to fail in the coming years. The clients have children playing this area. The pruning work may even stimulate a healthier crown, but this can be monitored. T2 (T53 on council map) - Turkey Oak - Crown lift over the lawn area only by 1.5 metres (cuts up to 9cm diameter). 3rd order branches removed.Reasons - This is the lowest area over the lawn, so this would help regarding light to the lawn.T3 (part of G2 on council map) - Beech - Crown lift by 1 metre. Reasons the same as T2.T4 (G2) - Beech - Remove the lower lower primary crossing branches. They grow towards the lawn, and cross fairly near to the main stem.Reasons - they are both weakened, but without a too significant diameter cut size to be deemed detrimental pruning. It would also tidy the appearance when viewed from the garden.		

Delegated Decision			
Application Number:	21/1670/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	06/12/2021
Location Address:	61 Wardrew Road Exeter Devon EX4 1HA		
Proposal:	Prior approval application for a single storey rear extension measuring 3.90m (depth) x 2.30m (eaves height) x 2.90m (maximum height).		
Delegated Decision			
Application Number:	21/1715/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	22/12/2021
Location Address:	21 Dunsford Gardens Exeter Devon EX4 1LN		
Proposal:	Single storey rear extension.		
Delegated Decision			
Application Number:	21/1727/FUL	Delegation Briefing:	02/12/2021
Decision Type:	Permitted	Date:	24/01/2022
Location Address:	12 Bowhay Lane Exeter Devon EX4 1NZ		
Proposal:	Single storey rear extension.		
Delegated Decision			
Application Number:	21/1733/FUL	Delegation Briefing:	25/11/2021
Decision Type:	Permitted	Date:	21/12/2021
Location Address:	169 Okehampton Road Exeter Devon EX4 1ES		
Proposal:	Proposed rear extension and internal alterations.		
Delegated Decision			
Application Number:	21/1785/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	24/11/2021
Location Address:	1 Union Street Exeter Devon EX2 9BA		
Proposal:	Rear dormer and rising the parapet wall between neighbours` roof.		
Delegated Decision			
Application Number:	21/1802/PDCD	Delegation Briefing:	
Decision Type:	Prior Approval Required and Refused	Date:	20/01/2022
Location Address:	1A Ferndale Road Exeter Devon EX2 9BW		
Proposal:	Change of use from commercial use (Class E(g)i) to one bedroom house (Class C3).		

Delegated Decision			
Application Number:	21/1938/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	28/01/2022
Location Address:	33 Regent Street Exeter Devon EX2 9EH		
Proposal:	Non-material amendment to planning permission 21/0267/FUL to replace roof lights with incorporated windows.		
Delegated Decision			
Application Number:	22/0016/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	4 Princes Street South Exeter Devon EX2 9AW		
Proposal:	Leylandii (TA) - Fell.		
Delegated Decision			
Application Number:	22/0077/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	21/01/2022
Location Address:	17 Somerset Avenue Exeter Devon EX4 1LX		
Proposal:	Non material amendment to approved application reference 21/0169/NMA to replace the pitched porch roof with a flat roof.		
Topsham			
Delegated Decision			
Application Number:	21/0401/FUL	Delegation Briefing:	08/04/2021
Decision Type:	Permitted	Date:	30/11/2021
Location Address:	Land At Clyst Road Clyst Road Topsham Exeter Devon		
Proposal:	Development of 15no. dwellings and associated landscaping and infrastructure works.		
Delegated Decision			
Application Number:	21/0894/OUT	Delegation Briefing:	24/06/2021
Decision Type:	Refuse Planning Permission	Date:	20/01/2022
Location Address:	Land To The West Of Clyst Road Topsham		
Proposal:	Outline planning application for the construction of up to 100 dwellings and associated infrastructure (Means of access to be determined with scale, layout, appearance and landscaping reserved for future consideration).		
Committee Decision			
Application Number:	21/1119/FUL	Delegation Briefing:	29/07/2021
Decision Type:	Permitted	Date:	19/11/2021
Location Address:	The Mews Bowling Green Road Riversmeet Topsham Exeter Devon EX3 0BE		
Proposal:	Proposed extension and alterations.		

Delegated Decision			
Application Number:	21/1167/FUL	Delegation Briefing:	07/10/2021
Decision Type:	Permitted	Date:	11/11/2021
Location Address:	1 Chapel Place Fore Street Topsham Exeter Devon EX3 0HS		
Proposal:	Replacement dormers and insertion of rooflights.		
Delegated Decision			
Application Number:	21/1247/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/11/2021
Location Address:	26 Elm Grove Road Topsham Exeter Devon EX3 0EQ		
Proposal:	T1 - Monterey Pine - dismantle/fell tree due to showing rapid signs of decline this year.		
Delegated Decision			
Application Number:	21/1299/FUL	Delegation Briefing:	02/09/2021
Decision Type:	Permitted	Date:	17/11/2021
Location Address:	The Lighter Inn Fore Street Topsham Exeter Devon EX3 0HZ		
Proposal:	Change of use from Public Realm (Sui Generis) to Beer Garden (Sui Generis).		
Delegated Decision			
Application Number:	21/1315/FUL	Delegation Briefing:	30/09/2021
Decision Type:	Permitted	Date:	20/12/2021
Location Address:	Riversmeet House Bowling Green Road Riversmeet Topsham Exeter Devon EX3 0BE		
Proposal:	Installation of new solar panel array to boathouse.		
Delegated Decision			
Application Number:	21/1340/FUL	Delegation Briefing:	09/09/2021
Decision Type:	Permitted	Date:	18/11/2021
Location Address:	Rivendell Denver Road Topsham Exeter Devon EX3 0BS		
Proposal:	Replacement dwelling, car port and associated works.		
Delegated Decision			
Application Number:	21/1352/FUL	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	19/11/2021
Location Address:	Wixels Ferry Road Topsham Exeter Devon EX3 0JH		
Proposal:	Alteration works to listed building, replacement of extension, structural underpinning works and air source heat pump.		

Delegated Decision			
Application Number:	21/1353/LBC	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	19/11/2021
Location Address:	Wixels Ferry Road Topsham Exeter Devon EX3 0JH		
Proposal:	Alteration works to listed building, replacement of extension, structural underpinning works and air source heat pump.		
Delegated Decision			
Application Number:	21/1387/FUL	Delegation Briefing:	23/09/2021
Decision Type:	Permitted	Date:	04/11/2021
Location Address:	46 Wear Barton Road Exeter Devon EX2 7EQ		
Proposal:	Side and rear extension with detached garage.		
Delegated Decision			
Application Number:	21/1452/LBC	Delegation Briefing:	30/09/2021
Decision Type:	Permitted	Date:	11/11/2021
Location Address:	18 Majorfield Road Topsham Exeter Devon EX3 0ES		
Proposal:	Replacement front door and front first floor sash window.		
Delegated Decision			
Application Number:	21/1473/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	16/11/2021
Location Address:	15 Wessex Close Topsham Exeter Devon EX3 0LU		
Proposal:	1 - Sycamore - Reduce the height by 4 metres (maximum cut size of 12cm diameter) - Shorten back all lateral branches by up to 20% of branch length (approx 1 to 1.5metres) Cut size of 9 cm.		
Delegated Decision			
Application Number:	21/1477/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	31 The Strand Topsham Exeter Devon EX3 0AY		
Proposal:	T1 Birch. Reduce height by 4mT2 Acacia. Crown lift to 3m and cut back spread over garden by 2m		
Delegated Decision			
Application Number:	21/1519/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	8 Monmouth Avenue Topsham Exeter Devon EX3 0AF		
Proposal:	T1 Ash, fell. This tree leans over a row of garages with asbestos roofs. My client is worried that if it contracts Ash die back disease, it could easily fail and crash onto the garages below. It has no amenity value, it is surrounded by four other large ash trees.T2, Ash. Pollard to 15ft. As can be seen from the photo, the crown has sparse leaf cover and is full of dead and dying branches. It is hoped that pollarding it will encourage new healthy growth and once again provide privacy from the Altimira flats.		

Delegated Decision			
Application Number:	21/1565/FUL	Delegation Briefing:	21/10/2021
Decision Type:	Permitted	Date:	07/12/2021
Location Address:	63 High Street Topsham Devon EX3 0DY		
Proposal:	First floor extension to existing dwelling.		
Delegated Decision			
Application Number:	21/1567/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	2 Higher Shapter Close Topsham Exeter Devon EX3 0AR		
Proposal:	T1 Lawson Cypress Remove . Tree is outgrown space and not possible to reduce to manageable size. It also interferes with phone lines.		
Delegated Decision			
Application Number:	21/1591/FUL	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	06/12/2021
Location Address:	Topsham Rugby Football Club Exeter Road Topsham Exeter Devon EX3 0LY		
Proposal:	20ft shipping container at the back of the club.		
Delegated Decision			
Application Number:	21/1608/TPO	Delegation Briefing:	
Decision Type:	Split Decision	Date:	02/12/2021
Location Address:	Wilson Leisure Site Office Topsham Road Exeter Devon EX2 7DT		
Proposal:	The following Tree numbers correspond to site plan of TPO 523 (2006) T2 Horse Chestnut, remove rotten old cut down 3feet to healthy wood T8 Luccombe Oak, remove limb to the north over new caravan roof T16,T19,T20,T21,T22 Sycamore, remove epicormic growthT39 Sweet Chestnut, shorten length of new growth branches to reduce leverage on old cutsT70 Turkey oak, remove epicormic growthT71 Holm Oak, lift branches to 5metres over roadT74 Alder, Reduce vertical stems by half to reduce leverage on themT79 Lime, remove dead limb, and remove 3 adjacent dead elms (not on plan)T84, Lime, remove epicormic growthT86 Oak, lift low branches over roofT87,T88 Lime, remove epicormic growthT90 Maple, remove epicormic growthT108 Sycamore, remove low branch to the west, and lift crown on adjacent small unlisted sycamoreT115 holm oak, lift low branches to clear view for cctv camera and lamp postT116 Oak, remove epicormic growthT117 Oak, remove limb to the east over garden and a limb to the west over carpark		

Delegated Decision			
Application Number:	21/1610/VOC	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	14/01/2022
Location Address:	Land At Corner Of The Retreat Drive Topsham Devon		
Proposal:	Variation of Condition 2 of App Ref: 17/1656/FUL granted 8.1.2018 to vary design of the building for 10 apartments incorporating improvements to public realm and landscaping, undercroft car parking, electric bike dock and electric car charging points.		
Delegated Decision			
Application Number:	21/1617/FUL	Delegation Briefing:	04/11/2021
Decision Type:	Permitted	Date:	10/12/2021
Location Address:	8 Retreat Road Topsham Exeter Devon EX3 0LF		
Proposal:	Proposed front porch extension.		
Delegated Decision			
Application Number:	21/1630/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	4 Globe Ley Globefield Topsham Exeter Devon EX3 0DL		
Proposal:	Cut down 2x small whitebeam trees.		
Delegated Decision			
Application Number:	21/1632/FUL	Delegation Briefing:	25/11/2021
Decision Type:	Permitted	Date:	05/01/2022
Location Address:	4 Globe Ley Globefield Topsham Exeter Devon EX3 0DL		
Proposal:	Construction of new summer house in rear garden.		
Delegated Decision			
Application Number:	21/1644/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/11/2021
Location Address:	33 The Strand Topsham Exeter Devon EX3 0AY		
Proposal:	T1 Catalpa. Reduce lateral spread on south side by up to 3m to clear building.		
Delegated Decision			
Application Number:	21/1673/FUL	Delegation Briefing:	11/11/2021
Decision Type:	Permitted	Date:	16/12/2021
Location Address:	24 Fore Street Topsham Exeter Devon EX3 0HB		
Proposal:	Single storey rear extension.		

Delegated Decision			
Application Number:	21/1674/LBC	Delegation Briefing:	11/11/2021
Decision Type:	Permitted	Date:	16/12/2021
Location Address:	24 Fore Street Topsham Exeter Devon EX3 0HB		
Proposal:	Single storey rear extension.		
Delegated Decision			
Application Number:	21/1688/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/01/2022
Location Address:	Newcourt House Old Rydon Lane Topsham Exeter Devon EX2 7JU		
Proposal:	T15 Western Red Cedar (Thuja) - Fell. Reason for works:T15 Western Red Cedar (Thuja) - Tree in decline, approximately 50% or more foliage loss throughout crown.		
Delegated Decision			
Application Number:	21/1693/FUL	Delegation Briefing:	18/11/2021
Decision Type:	Permitted	Date:	21/12/2021
Location Address:	3 Parkfield Way Topsham Exeter Devon EX3 0DP		
Proposal:	Replace existing single glazed timber framed windows with double glazed timber uPVC windows.		
Delegated Decision			
Application Number:	21/1694/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	09/02/2022
Location Address:	Land At Clyst Road Clyst Road Topsham Exeter Devon		
Proposal:	Discharge of condition 17 (Residential Travel Plan) of application ref 17/1148/OUT.		
Delegated Decision			
Application Number:	21/1722/FUL	Delegation Briefing:	23/12/2021
Decision Type:	Refuse Planning Permission	Date:	28/01/2022
Location Address:	Green Knoll Old Rydon Lane Topsham Exeter Devon EX2 7JZ		
Proposal:	Single storey side and rear wraparound extension.		
Delegated Decision			
Application Number:	21/1728/LBC	Delegation Briefing:	25/11/2021
Decision Type:	Permitted	Date:	06/01/2022
Location Address:	11 Monmouth Hill Topsham Exeter Devon EX3 0JF		
Proposal:	Replacement roof, replacement window frame, and new skylight to outbuilding.		

Delegated Decision			
Application Number:	21/1749/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/01/2022
Location Address:	9 Parkfield Way Topsham Exeter Devon EX3 0DP		
Proposal:	Liquidambar (T1) - reduce sides by 3-4ft and height by 6-8ft , cutting back to a suitable side branch, leaving a natural form.		
Delegated Decision			
Application Number:	21/1776/FUL	Delegation Briefing:	16/12/2021
Decision Type:	Permitted	Date:	01/02/2022
Location Address:	7 Lower Shapter Street Topsham Exeter Devon EX3 0AT		
Proposal:	Proposed replacement of existing modern extension, internal alterations, dormer window and conservation style rooflights to rear facing pitched roof.		
Delegated Decision			
Application Number:	21/1777/LBC	Delegation Briefing:	16/12/2021
Decision Type:	Permitted	Date:	01/02/2022
Location Address:	7 Lower Shapter Street Topsham Exeter Devon EX3 0AT		
Proposal:	Proposed replacement of existing modern extension, internal alterations, dormer window and conservation style rooflights to rear facing pitched roof.		
Delegated Decision			
Application Number:	21/1780/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Partially Approved	Date:	24/12/2021
Location Address:	Exeter Golf And Country Club Topsham Road Exeter Devon EX2 7AE		
Proposal:	Discharge of Condition 4 (internal construction details) and discharge of Condition 10 (noise) of Planning Permission 19/1368/FUL.		
Delegated Decision			
Application Number:	21/1786/FUL	Delegation Briefing:	25/11/2021
Decision Type:	Permitted	Date:	06/01/2022
Location Address:	5 Orchard Way Topsham Exeter Devon EX3 0LB		
Proposal:	Proposed one and a half storey rear extension.		
Delegated Decision			
Application Number:	21/1791/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/01/2022
Location Address:	3 Lower Shapter Street Topsham Exeter Devon EX3 0AT		
Proposal:	Removal of 10ft Holly Bush, reduction of 2 Silver Birch trees approximately 5ft removal from a 25ft tree.		

Delegated Decision			
Application Number:	21/1830/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/01/2022
Location Address:	Eleanors Bower 6A Follett Road Topsham Exeter Devon EX3 0JP		
Proposal:	Macrocarpa (T1) Reduce or remove major deadwood. Reduce crown by up to 2m with 40mm max diameter cuts.		
Delegated Decision			
Application Number:	21/1835/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/01/2022
Location Address:	34 Victoria Road Topsham Exeter Devon EX3 0EU		
Proposal:	A1.1 - Sycamore A1.2 - Elder A1 - Bay, Sycamore & Small Yew A1.3 - Yew Reasons for works:A1.1, A1.2 & A1 - Recently purchased area has been neglected and is in need of appropriate management. Replanting schedule is intended post works. A1.3 - The tree is unbalanced and needs minor reduction works to achieve good form to allow the tree continue growth.		
Delegated Decision			
Application Number:	21/1851/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	19 The Strand Topsham Exeter Devon EX3 0AS		
Proposal:	The works are minor in nature and will we believe enhance the visual amenity relating to the trees. The works will not in any way harm the trees. More specifically, permission is being sought to have the 3 trees' crowns raised to 5.5 metres along with a 20% crown thin. The 3 trees are identified as T1, T2 and T3 on the drawings submitted with this application.		
Delegated Decision			
Application Number:	21/1860/VOC	Delegation Briefing:	09/12/2021
Decision Type:	Permitted	Date:	07/01/2022
Location Address:	85 Newcourt Road Topsham Exeter Devon EX3 0BU		
Proposal:	Variation of condition 2 of planning permission ref. 20/0802/FUL to alter the roof design to incorporate a section of flat roof.		
Delegated Decision			
Application Number:	21/1868/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/02/2022
Location Address:	9 Lower Shapter Street Topsham Exeter Devon EX3 0AT		
Proposal:	(T1) Silver Birch Reduce crown back to old cuts. The previous owner had permission to fell it (15/0111/07) but had the crown reduced instead so my client would like to repeat this.(T2) Pittosporum reduce crown to match the Birch(T1)		

Delegated Decision		
Application Number:	21/1874/LED	Delegation Briefing:
Decision Type:	Was lawful use	Date: 24/12/2021
Location Address:	The Tree House 8 Regency Drive Exeter Devon EX2 7SN	
Proposal:	Pergola, fence and swimming pool with raised decking.	
Delegated Decision		
Application Number:	21/1876/CAT	Delegation Briefing:
Decision Type:	Permitted	Date: 08/02/2022
Location Address:	8 Tresillian Cottages Topsham Exeter Devon EX3 0BD	
Proposal:	Removal of 4x Conifers.	
Delegated Decision		
Application Number:	22/0011/CAT	Delegation Briefing:
Decision Type:	Permitted	Date: 08/02/2022
Location Address:	4 Elm Grove Road Topsham Exeter Devon EX3 0BW	
Proposal:	Rowan (T1) - fell because of root damage to property and low amenity value.	
Delegated Decision		
Application Number:	22/0058/CAT	Delegation Briefing:
Decision Type:	Permitted	Date: 08/02/2022
Location Address:	29-30 Monmouth Street Topsham Exeter Devon EX3 0AJ	
Proposal:	T1: Plum - Reduce to previous pruning pointT2: Beech - Reduce via thinning approx 3m T3: Silver Birch - Crown reduction 2-3m T4: Indian Bean Tree - Request to fell to ground level. Whilst we have tried to maintain this tree, it is an incredibly fast growing tree which is now dominating a relatively small area. Over the last few months there has been continued branch drop (some of substantial size). The largest branch missed my son and I by inches and was at least 2m long. Another branch would have landed on a car had it been parked there at the time. Advice taken from Dartmoor Tree Surgeons.T5: Cypress Hedge - Cut back wayward stems and reduce in height by 1-2mT6: Oak - Crown reduction and thin	
Delegated Decision		
Application Number:	22/0109/NMA	Delegation Briefing:
Decision Type:	Permitted	Date: 07/02/2022
Location Address:	3 Old Rydon Ley Exeter Devon EX2 7UA	
Proposal:	Non-material amendment sought to planning permission ref. 21/1275/FUL to alter position of north-west wall and gutter design.	
Total Applications: 351		

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 21 February 2022
Report of: City Development Strategic Lead
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 [20/1380/OUT](#) - **Land at Redhills, Exwick Lane** - *Outline planning application for up to 80 dwellings and associated infrastructure (All matters reserved except for access).*

The application for up to 80 dwellings was made in outline with all matters apart from access being reserved. The Inspector treated all details within the site shown in the submitted plans as indicative.

The 4.1 hectare site comprises of open fields currently used for horse grazing and is at the western uppermost end Redhills, between this road and Exwick Lane. An existing footpath is located to the eastern edge of the site, which backs onto properties in Cheltenham Close. The southern boundary of the site is bounded by Newbery scrap yard on the western side; an existing mature wooded area and behind properties in St Peters Mount. The proposed vehicular access to the site would be from a newly constructed one onto Redhills. Pedestrian cycle access points to St. Peters Mount and Exwick Lane are included. Since the original submission, the applicant included highway improvements to Redhills with widening and the provision of a new footway. The creation of the proposed new footway on Redhills would result in the remodelling of an existing bank and removal of existing mature trees.

The scheme proposes a total of 35% affordable housing. This would result in 52 market houses and 28 affordable units being provided, if the full 80 units were approved at the reserved matters stage.

The illustrative layout indicates that there would be a central main road running through the site along the ridge with the sole vehicular access from Redhills. The proposed dwellings would essentially front onto this access road in most instances creating properties with either north facing or south facing gardens. The illustrative layout includes the provision of two Local Areas of Play (LAP) and a Local Equipped Area for Play (LEAP) within the site. In addition, an area of open space is proposed to be located in the southern eastern corner of the site, which will also provide for a storm attenuation basin.

The application was refused for three reasons paraphrased:

- 1) *The development would have a significant impact on the rural character of the area and landscape setting of the city by developing and urbanising a prominent ridgeline that will be visible from surrounding parts of the city. It will have a significant impact on the rural character of Redhills through the creation of an access road and necessary visibility splays, which will detract from the rural approach to the city from the west.*
- 2) *In the absence of a completed planning obligation (Section 106 of the Town and Country Planning Act 1990 (as amended) in terms that are satisfactory to the Local Planning Authority which makes provision for the following matters Affordable housing, Open space provision - play equipment, maintenance arrangements and public access in perpetuity; Off-site play provision contribution; Education contributions; GP facilities contribution; Footway Improvement contribution; Sustainable Travel Planning.*
- 3) *Insufficient ecological mitigation justification has been submitted to outweigh the significant harm to the wildlife and biodiversity as a result of the loss of a substantial section of hedge bank fronting onto Redhills and Exwick Lane and the trees and hedgerows within and along the boundaries located within a Site of Local interest for Nature Conservation.*

A unilateral undertaking was submitted by the Appellant which overcame the second reason for refusal. The Inspector therefore agreed that the main issues were the effects of the development on: a) the character and appearance of the area, including the landscape setting of Exeter; and b) biodiversity.

a) Character and appearance of the area

It was common ground the site falls within the locally defined landscape setting of Exeter subject of saved Policy LS1 of the Exeter Local Plan First Review 2005 which was subsequently refined for the purposes of the Exeter City Council Core Strategy 2012 and carried forward in Policy CP16, and that saved Policy LS1 should be accorded limited weight and that Policy CP16 is the more recent and up to date and carries greatest weight.

Saved Policy LS1 seeks to tightly restrict development based on type, no such restriction exists within Policy CP16. Therefore, whilst the scheme would directly conflict with saved Policy LS1 given that it would not involve a type of development permitted, the same direct conflict would not arise in relation to Policy CP16.

Policy CP16 is itself applied within the context of the vision and spatial strategy set out within the Core Strategy. These seek to safeguard and to steer development away from the hills to the north and northwest of the city. In this are informed by a 2007 study which indicated limited capacity for development. Whilst the general strategy is therefore to prioritise development of sites outside the landscape setting of the city, development of sites within it is not precluded by Policy CP16. In this regard consideration of the scheme's specific effects on local distinctiveness and character is required in line with Policy CP16. In his assessment of the scheme specific effects the Inspector concluded: The site occupies a position on the suburban/rural fringe. The landscape setting of the city provides a green setting and containment of the developed area, and intrinsic quality. The extent to which these values and functions are realised and fulfilled in large part depends on the ability of the public to experience and perceive them. The Inspector agreed with the appellant and considered that within its context the site forms a small, detached part of the landscape setting described as 'hills to the north and northwest of the city'.

He further considered that the site itself occupies a series of small fields which are unremarkable, and none is publicly accessible. The topography of the site limits the extent and nature of views of it. The perceived prominence of the site, including its presence on the skyline varies by location and he concluded that the site makes no more than a negligible contribution to the backdrop of the city in long views and the effect of development on those views would be negligible, and there is no clear sense that the site provides a definite edge to the developed area of the city.

The Inspector considered that insofar as the site lies within the suburban/rural fringe, some sense of transition is perceived when travelling past it, however the role played by the site itself is modest and in both directions it is likely to be undergo change if a housing scheme on the scrapyard is implemented. Development of the Redhills frontage suggests a typically inward-looking suburban layout, reserved matters can secure a design more responsive to the character and layout of existing housing in Nadderwater. Though the access would remain a pronounced feature, the majority of the roadside hedge would be retained, and a positive response could be achieved. The pavement between the site and St Peter's Mount would provide a stronger physical connection, accepting that clearance of trees is likely to occur along the west side of Redhills whether the appeal is allowed or not, the character of the lane would not be fundamentally changed by works to slightly widen the road, subject to careful handling of the reserved matters and off-site works, a sense of transition, physical separation, and difference in character between St Peters Mount and Nadderwater should remain clearly perceptible. As such a sense of suburban-rural transition could be maintained.

The Inspector considered that Exwick Lane retains a strongly rural character along the section of it bordering the site and that though it is apparent that the site frontage is largely free from development, the site again plays no more than a modest role given that differences in ground level limit views into it. Exwick Lane he concluded would otherwise provide a more meaningful and perceptible edge to the developed area of the city than exists at present. He concluded that change to the site's character would not be unacceptable.

The Inspector did not agree that any loss of tranquillity would occur as most of the immediate context could not be reasonably described as tranquil, nor that development would form a source of artificial light which would increase its visibility at night. Lighting otherwise remains to be considered within the context of the reserved matter of appearance, and would require specification to limit adverse effects on wildlife. The latter would necessarily reduce any broader effects of light spill.

Paragraph 174 of the 2021 NPPF was referenced in the reasons for refusal, it was common ground that the site does not form part of a defined 'valued landscape'. Paragraph 174 otherwise indicates that decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. The Inspector concluded he was satisfied that the development would not conflict with paragraph 174.

On the dismissed appeal at Pennsylvania Road he considered that the location and the character of the immediate contexts differed, and given the large area occupied by the landscape setting of the city varies in character, the contribution that individual parts of it make to it do too, and he therefore assessed the appeal scheme on its own merits. On landscape matters the Inspector concluded that the development would not have an unacceptable effect on the character and appearance of the area, including the landscape setting of Exeter and whilst he acknowledged the existence of conflict with saved Policy LS1, the scheme would not in his view conflict with Policy CS16 or be incompatible with the vision and spatial strategy set out within of the Core Strategy.

b) Biodiversity

Part of the site falls within a Site of Local Interest for Nature Conservation (SLINC), protection for which is provided by saved Policy LS4 of the LP. SLINCs are also referenced within the supporting text of Policy CP16, which again overlaps the earlier policy. The Inspector considered that whilst both policies seek to limit harm, saved Policy LS4 sets the overall assessment within the context of 'need' for development. This is not clearly defined and makes the policy somewhat more restrictive in nature than Policy CP16 to which the Inspector attached greater weight based on its more recent date.

The Inspector noted the absence of any up-to-date evidence justifying the SLINC designation, but also that an Ecological Impact Assessment carried out by the appellant has confirmed that the site hosts a breeding population of dormice, which are a European Protected Species. In this regard the hedgerows within the site are of importance as they provide a key habitat. The site additionally provides a general resource for bats and birds and may support reptiles. As such the site clearly holds some ecological value.

The Inspector further noted the appellants proposed mitigation strategy, which crucially includes replacement planting of hedgerows and the provision of buffer zones, alongside additional enhancement works. The Inspector noted Natural England's comments and was satisfied that mitigation can be secured by suitably worded conditions and that being so, the effects of the development on dormice and other wildlife would not be unacceptable. Following the appellant's statement that trees on the verge at Redhills would be removed whether the appeal is allowed or not, he gave weight to that position and noted that those trees had not been identified by Natural England as having high ecological value. In this regard, he considered the implementation of offsite works provides the opportunity for improved planting, thus potentially enhancing the available habitat for dormice and other species.

The likely significant effect on the integrity of the Exe Estuary SPA and Ramsar site and Pebblebed Heaths SPA and Special Area of Conservation requires an Appropriate Assessment and Natural England has confirmed that it raises no objection to the development subject to mitigation being secured in line with the South- East Devon European Site Mitigation Strategy, which applies to all the above European sites. The Inspector concluded in matters of biodiversity that any adverse effects of the development could be satisfactorily addressed, thus meeting the requirements of Policy CP16 also that there would also be no clear conflict with saved Policy LS4 and the proposals would therefore comply with the development plan taken as a whole in this regard.

Obligations

The appellant offered a unilateral undertaking to secure the provision of:

- 35% on-site affordable housing, satisfying the requirements of Policy CP7 of the CS.
- Provision and subsequent management of on-site public open space,
- A contribution towards the cost of upgrading a nearby off-site play area and access to it from the site. Each is in accordance with Policy DG5
- Contributions towards the cost of works to enlarge and provide necessary additional capacity within local GP facilities, in accordance with the provisions of Policy CP18
- Contributions to provide additional secondary school places, in accordance with the provisions of Policy CP18
- A contribution covering the cost of upgrading the existing substandard footway on the east side of the site, again in accordance with Policy CP18

- A contribution is secured to cover the cost of implementing of the scheme travel plan, the latter required in accordance with paragraph 113 of the Framework

The Inspector was satisfied that the obligations above, as contained within the UU, pass the tests set out within Section 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and paragraph 57 of the Framework (the tests).

A contribution was additionally sought by the RD&E NHS Foundation Trust for gap funding of hospital services during the first year of occupation. In considering this case on its merits the Inspector summarised that; the Council considers that the contribution fails the tests, and though the appellant agrees, the UU has nonetheless been drafted to secure payment of the contribution. The Council's concerns include the lack of a clear policy basis for the contribution, lack of certainty and accountability in relation to how it would be spent, and lack of clarity as to why it should be required at all.

The Trust has provided evidence showing that the issue is not exclusive to Devon, and that it has been considered variously at appeal. This includes recently in relation to Ikea Way in Exeter, where on that occasion an Inspector considered that a contribution would pass the tests. He further summarised that the funding is calculated based on the previous year's population and expenditure, meaning that allowance is only made for population growth the following year, this can potentially lead to a shortfall in funding for services as future occupants of the development are likely to visit the local hospital should the need arise, a link can be made between the two.

In reaching a conclusion the Inspector considered that the assumption of a 12 month gap in funding appears generalised, as occupation of dwellings within the development could occur at various points within any given 12 month period. It also remains the case that the contribution would not be used to pay for anything specific, but would be absorbed into the wider budget. Whether the contribution would be fairly and reasonably scaled, as too the relationship between its use and the development are therefore uncertain. That being so, he could not find that the contribution passes the tests, and consequently I could not take it into account. Given that the requirement for the contribution was not endorsed by the Council, this finding make no difference to the Inspectors decision.

Conclusions

The appeal was allowed as the Inspector had concluded that the proposals comply with the development plan taken as a whole, including those policies referenced in the reasons for refusal, and the National Planning Policy Framework.

Given the Inspectors conclusion that the proposals are not in conflict with the policies of the Development Plan he did not consider it necessary to consider whether or not the Council can demonstrate a 5-year supply of deliverable housing sites.

The Inspector stated that in considering the appeal on its own site-specific merits, the suggestion that allowing the appeal will provide a precedent for further development does not attract weight.

The decision is subject to conditions including standard conditions relating to compliance with submitted details, submission of reserved matters and time limits. The Inspector also imposed conditions to safeguard and enhance the ecological value of the site including during construction phase, drainage, construction management plan, waste audit, contamination remediation, energy efficiency. Cycle and car parking and charging, including club car and cycle provision, are secured to be provided in detail at Reserved Matters stage.

The Appeal was allowed as the Inspector did not consider that the proposals conflicted with the Development Plan.

3.2 [20/0596/OUT](#) - **Land at Pennsylvania Road, Exeter** - *Resubmission of outline application for residential development for up to 26 dwellings (All matters reserved except access).*

The key issues were the effect of the proposed development on the character and appearance of the Landscape Setting area, the effect on biodiversity and whether safe access for pedestrians could be provided.

The Inspector concluded that the proposed development would conflict with Policies CP16 and LS1 (in so far as it requires proposals to maintain local distinctiveness and character), as it would encroach into the countryside beyond the belt of trees to the north of Stoke Valley Road, which form a natural boundary and clearly defined limit to the urban area. The site itself has a strong rural character and is visually prominent. The proposed development would have a suburban character and be visible in long distance views from the surrounding countryside. This would cause substantial harm to the rural character of the area, as would removal of 40m of hedgebank along Pennsylvania Road to create the site access. The activity and lighting associated with the proposed development would further add to its intrusive nature and detract from the tranquillity of the area. Introduction of a small housing estate in a SLINC connected to a SNCI would change the natural character of the area in terms of it being of interest for nature conservation.

The Inspector also concluded that the proposed development would conflict with Policies CP16 and LS4, as it would cause significant harm to biodiversity. The hedgerows to the east and west are species-rich and provide habitat for dormice, a protected species. The gap in the mature hedgerow/hedgebank created by the site access would disconnect it from the network of hedgerows in the area, adversely affecting biodiversity. There was a lack of information on how the proposed hedgerow translocation would be carried out, which would appear to require a substantial amount of excavation, due to the levels difference between the site and road. It would not be appropriate to condition this, as the works are fundamental to providing access to the scheme. The proposed hedgerows within the scheme would form the boundaries of houses, so would not compensate for the loss of the existing hedgerow/hedgebank, as their long-term protection cannot be guaranteed. Surveys were not carried out for all potential protected species identified in the Preliminary Ecological Appraisal, therefore an accurate ecological baseline cannot be established to measure biodiversity net gain against and the biodiversity net gain report can be given limited weight accordingly. This report also assumes that the proposed hedgerows will reach moderate condition after 10 years, significantly less than the 20-30 years a hedgerow requires to reach maturity. Lighting and domestic cats would detract from any net gains further. Policy LS4 only permits development that would harm a SLINC if the need of the development is sufficient to outweigh nature conservation considerations, and harm is minimised with appropriate mitigation/compensation measures. This was not demonstrated in this case.

The Inspector also concluded that the proposed development would conflict with Policies CP9 and DG1, as it would not provide safe access to the site for pedestrians. The proposed footway along Pennsylvania Road would narrow to 1.2m for approximately 60m, which would not allow an ambulant person to walk side-by-side with someone in a wheelchair. The same can be said for someone with a child's buggy and another child walking beside them. Given the attraction of Duryard Valley Park, it is likely that people will pass each other on the footway leading to people stepping onto the carriageway which will be unsafe, particularly as the carriageway will need to be narrowed to accommodate the footway and is a well-used route. The alternative route via the bridleway would not provide

suitable or safe access, due to the absence of lighting, which cannot be provided as the bridleway is in third party ownership.

The Inspector disagreed with some of the sites included in the Council's Five Year Housing Supply Statement (September 2021) and concluded that the Council has a modest shortfall of 220 dwellings (this is the equivalent of a supply of 4 years and 8 months). The Inspector disregarded the November Statement submitted as part of the appeal. Despite the 'tilted balance' applying in accordance with the presumption in favour of sustainable development in the NPPF and the sustainability benefits of delivering new housing (albeit a modest amount), the Inspector concluded that these did not outweigh the policy conflicts above which should be afforded substantial weight. The proposal would be contrary to the development plan as a whole.

Costs were awarded to both parties: The appellant did not follow the correct procedure/guidance for preparing the Unilateral Undertaking and the Council submitted further evidence on 5 year housing land supply after the appeal hearing had closed.

The Appeal was dismissed as the Inspector considered that the proposals conflicted with the Development Plan

3.3 [21/0517/LED](#) - **99 Howell Road** - *Use of property as House of Multiple Occupation (HMO) (Sui Generis) for up to 12 persons*

The application relates to a detached three/two storey Victorian villa in large grounds, probably built around the 1840s. It is located in the St Davids Conservation Area and within the St James Neighbourhood Plan area. In April 1977, planning permission was granted for the change of use of the building from bedsits to form an ex-prisoners hostel. Three conditions were added, two of which are worth noting. One stated that the building could not be occupied by more than 15 people including the Warden and staff. The other stated that the consent was personal to the Stonham Housing Association Limited (although this company later became Home Group). In 2013, this facility was relocated to a new building leaving these premises empty. The property has not been in use since this date.

The applicant sought to argue that the established lawful use of the property is as a large House of Multiple Occupation (HMO) for up to 12 persons. The evidence provided to support the claim relied heavily on an opinion given by a QC from No. 5 Barristers Chambers. His central argument, based on a description of the hostel in an essay from a 1977 academic journal and various other small pieces of information, was that the building had been used as a series of bedrooms with shared facilities, which in effect was an HMO.

The Council refused to issue a certificate for three reasons:

- It argued that when Stonham Housing Association Limited left the site in 2013 the planning permission fell away and the building was therefore left without a use. This would mean planning permission would be required for any subsequent use of the property. The Planning Inspector accepted this point.
- It pointed out that Paragraph 005 of the Government's Planning Practice Guidance on Lawful Development Certificates states that "an application needs to describe precisely what is being applied for (not simply the use class) and the land to which the application relates." The Council acknowledged that the applicant had sought confirmation that the lawful use of the building is as a large HMO for up to 12 persons. However, the case to support that number had not been made. Whilst a condition on the 1977 consent had limited overall numbers to 15, no information had been provided in this submission on how many occupiers had typically resided in the

building and/or whether these numbers had changed over time between 1977 and 2013. The Council therefore concluded that it had not been clearly established that the existing lawful use of the building was as described. The Inspector accepted the Council's position.

- The Council also highlighted that the building had not been issued with an HMO licence in the past because the premises had been run by a registered social landlord. Schedule 14 of the Housing Act 2004 excludes properties run by registered social landlords from the definition of HMO. In addition, it pointed out that the Council's Environmental Health team had inspected the property as a food business/premises every two years from 1992 until the hostel relocated. It was providing breakfast and cooked evening meals to its residents. It was argued that this was not a feature that would be associated with the general character of "a normal HMO", which was the use sought by the applicant. The Inspector accepted the Council's case stating that whilst there may be some characteristics of the hostel use that were similar to an HMO, that did not in itself demonstrate that the building was in lawful HMO use.

In dismissing the appeal, the Inspector concluded that the Council's refusal to grant a certificate of lawful use had been well-founded.

3.4 [21/0225/FUL](#) – Land Adjacent to 73 Lloyds Crescent - *Change of use of public land to private garden.*

The appeal site concerns an embankment of undeveloped Council-owned land that lies alongside Pinhoe Road 50m SE of its junction with Thackeray Road. The plot of land is bordered by a brick boundary wall on its Pinhoe Road and Lloyds Crescent footpath aspects, and is inaccessible to the public – it contains some trees and shrubs and primarily acts as a landscaped break or buffer zone between a busy highway and residential properties in Lloyds Crescent and beyond.

The proposal was the subject of an extensive pre-application enquiry where the department consulted other services in the Council including the Estates team in addition to local councillors, and advised that if an application was allowed at appeal it would still be unwilling to sell the land in question.

The Council refused the application on the following basis; The proposal is contrary to Objectives 7, 8 and 9 and Policy CP17 of the Exeter Local Development Framework Core Strategy, Policies L3 (a), L3 (b), DG1 (b), DG1 (c), DG1 (h) and DG4 (a) of the Exeter Local Plan First Review because by virtue of its size, position, layout and design the proposed development would:

- (a) result in the loss of public land that fulfils a valuable amenity role;
- (b) reduce public ownership and control of green infrastructure assets alongside a major arterial highway and the Air Quality Management Area (AQMA) of the city; and,
- (c) create a defensive urban environment detrimental to the open landscaped layout, character and appearance of the existing street scene and local area.

The inspector considered the main issue to be the effect of the proposal on the character and appearance of the area. In a brief assessment the proposed scheme was found to retain the soft landscaped aspect of the street scene in Pinhoe Road and therefore to have an acceptable impact on the character and appearance of the area. It was considered necessary to include conditions on the planning permission to clarify the landscaping design/ approach and to remove permitted development rights in order to maintain the undeveloped character and appearance of the land.

Therefore the appeal was allowed and planning permission was granted with conditions.

3.5 **20/0523/FUL – 3 Longbrook Terrace - Change of use from small HMO (C4 Use class) to large HMO (Sui Generis), 3 storey rear extension and associated alterations.**

The site consists of a three storey mid-terraced 6 person House in Multiple Occupation (HMO)(C4 Use Class) with small frontage facing the street and an enclosed rear courtyard containing ground floor and two storey tenement extensions. The building is locally listed in the Longbrook Conservation Area and lies in the Article 4 (HMO) Area.

The application ref. 20/0523/FUL was refused by the Council for the following reasons:

- the intensification of House in Multiple Occupation (HMO) land use within this part of the city would further imbalance the social mix of the local community and exacerbate an overconcentration of this property type within the area;
- the width, footprint, external material finishes and overall design of the proposed extensions would be unsympathetic and detrimental to the character and appearance of a locally listed building and the Longbrook Conservation Area;
- the proposed development would not provide satisfactory living conditions for future occupants; and,
- the height, massing and side windows of the proposed extension would together cause detrimental overshadowing, overbearing and overlooking impacts upon adjoining residential properties.

The planning inspector considered the key planning issues of the case to be:

- the suitability of the site for the proposal having regard to the development plan's approach to the supply of Houses in Multiple Occupation (HMOs);
- whether or not the proposal would preserve or enhance the character or appearance of the Longbrook Conservation Area (the CA); and,
- the effect of the proposal on the living conditions of existing, future and neighbouring residents with reference to light, outlook, privacy and space.

On the first issue the inspector recognised the high concentration of HMOs in the Article 4 Area but noted the proposal would not actually increase the amount of HMOs in the area but rather modestly increase the scale and intensity of an already established HMO. In this sense the proposed change of use to create a large HMO with two additional occupiers has an "inconsequential effect on the housing mix and balance of population within the locality" according to the inspector's analysis. It was added that the proposal would not itself prevent the property from being converted back into a dwelling house (C3) in future.

With respect to the three storey rear extension, the inspector argued that whilst the main frontage of Longbrook Terrace contributes positively to the character and appearance of the conservation area with its traditional, uniform and elegant appearance, the rear aspect of the terrace is a "markedly more ad-hoc and utilitarian affair, showing a somewhat disordered range of design and materials, including uPVC". The proposed extension with a pitched roof design was considered more sympathetic than other existing flat-roofed extensions in neighbouring plots, and that given the lack of public view the historic value of the terrace would be maintained.

The proposed extension design with the use of plastic windows was deemed consistent with Policies C1 C3, DG1 and CP17 on this basis. The Inspector made the point that because the proposed use was Sui Generis the Householder's Guide to Extension SPD carries limited relevance.

Lastly the external rear amenity space was seen as small but comparable to others in the terrace and suitable for such HMO usage. The new bedrooms proposed were assessed to provide sufficient space, light and outlook, whilst the addition of two residents was not considered to significantly alter existing levels of security or the potential for crime in the property or locality. The rear of Longbrook Terrace already has high levels of mutual overlooking and whilst the proposed extension would lead to some adverse effects on neighbouring amenity the impacts were deemed acceptable given the “already intrinsically constrained and intimate environment”.

With regards to suggested conditions for the planning consent, the inspector concluded the matching materials condition would not be appropriate whereas the condition restricting construction activity would be in this particular case.

Costs Decision

- The appellant argued the Council behaved unreasonably as the refusal was inconsistent with a decision for a similar proposal at 1 Longbrook Terrace in 2016. Further that the evidence submitted in the application was not fully considered, that the case officer sought to omit Members from the decision-making process, and that the Council failed to comply with Paragraph 38 of the NPPF.
- The inspector argued the Council had explained with detailed reasoning in the officer report why the 2016 decision was flawed and added it should not be tied to previous decisions ‘it demonstrably considers defective’. Furthermore the inspector’s view was that the Council substantiated the reasons for refusal in the report and based on the email correspondence sought to engage proactively with the applicant during the process.
- Accordingly it was concluded that the Council’s decision and the way it was made were not unreasonable and an award for costs is not justified on this basis.

In summary, the appeal was allowed but the application for costs was dismissed.

3.6 [19/1647/FUL](#) – Land Off Ikea Way - Construction of 200 dwellings, means of access, public open space and associated infrastructure (Amended Scheme).

The site comprises part of the Newcourt Strategic Allocation within the Exeter Core Strategy which designates that area for circa 3,500 residential dwellings and 16 hectares of employment land. The 6.7 hectares site is located to the south of the A379, east of the IKEA car park, west of the railway line/Old Rydon Lane and north of existing properties in Bunker Square, Mulligan Drive and Old Rydon Close. The main vehicular access to the site is from Ikea Way to the south of the Ikea car park.

During construction of the adjoining IKEA store, the site was used to store excess ground required for levelling of the IKEA site, inflating the levels across the site. Outline planning permission (with all matters reserved except access) for “the erection of between 180-220 residential units together with associated access, car parking, landscaping and associated works” was approved on the site on 26th November 2014 (ref 13/4524/01). This included provision for a MUGA area and was granted in parallel with the IKEA store. Full planning permission for “boundary treatment, including retaining wall and earthworks comprising the removal of earth and re-profiling of ground levels across the site” (ref 16/1129/FUL) was granted on 2nd December 2016. This included the storing of up to 100,000m³ of excavated material from the IKEA store on the site.

The appeal proposal was for construction of 200 dwellings, means of access, public open space and associated infrastructure. The scheme was amended twice during consideration. At the time the application was refused consent the Council was unable to demonstrate a 5 year housing land supply. The NPPF applies a presumption in favour of sustainable development which would normally 'tilt' the determination towards permission unless other material considerations indicate otherwise. However a clear justification to refuse permission was considered to be warranted as granting permission would "significantly and demonstrably outweigh the benefits". In summary, it was considered that the proposed layout as submitted would have a detrimental impact on the character and appearance of the area particularly in respect of the poor siting of the public open space/MUGA, dominance of parking areas and detrimental impact on existing and future residents. The layout proposed including 200 dwellings appeared overdevelopment and was considered to exceed the maximum feasible density taking into account site constraints and impact on the local area as defined within Local Plan Policy DG4. The scheme was not considered to meet the necessary requirements as set out in the NPPF, National Design Guide, Building for Life, Local Development Plan policies or the Residential Guide SPD. Whilst the number of proposed units was not objectionable in itself the design approach as submitted did not allow sufficient opportunity for the necessary space requirements to achieve a well design scheme as required by the NPPF and associated design guidance both at a national and local level . Whilst the positive benefits of 200 dwelling (including the 35% affordable housing) was clearly recognised as a positive, the negative impact the development would create in terms of the poorly designed layout was considered to "significantly and demonstrably outweigh" the benefits.

The application ref 19/1647/FUL was refused under delegated powers on 4 December 2020 following agreement at Delegation Briefing. The application was refused for three reasons:

1. Design and layout deficiencies
2. Outstanding concerns on technical matters, and
3. Lack of S106 agreement to secure contributions for a number of matters

A Unilateral Undertaking was offered by the applicant ahead of the Hearing to address the third reason for refusal. Additional technical documents were also submitted with the appeal to address some of the technical matters in the second reason for refusal.

The Inspector summarised the 3 main issues as:

- a) Whether the proposal would result in a well-designed place;

In determining the appeal the Inspector considered the six parts of the reason for refusal given in respect of design. The Inspector opens his consideration of Design matters by stating "The National Planning Policy Framework (the Framework) sets out the importance of high quality design in new development. It states that good design is a key aspect of sustainable development and creates better places in which to live and work. Policies and decisions should also aim to achieve healthy, inclusive and safe places which, amongst other things promote social interaction, opportunities for meetings, and provide the social and recreational facilities for community needs. Access to a network of high quality open spaces are stated to be important for the health and well-being of communities."

However the Inspector did not agree with the Councils objections on the grounds that areas of the site would be car dominated or that poor space given to landscaping in streets would fail to alleviate this effect. He did not agree that the lack of enclosure

would result in unacceptable loss of townscape quality as the effect was considered localised. He considered that potentially inadequate landscape buffer could be improved by reducing garden sizes, and did not conclude that the lack of private space for residents of flats was reason to refuse the application. He did not consider that the location of the MUGA, alongside the railway line boundary, was unacceptable. The Inspector did agree with the Council the relation to proposed plots 197-200, which were close to and substantially higher than dwellings on the neighbouring land resulting in an awkward visual relationship. He concluded in this regard that "At this key junction with surrounding development, in a location highly visible in the public realm, the proposal would fail to respect its context ... the proposal would conflict with those aims of LP Policy DG1 that seek to ensure that development is fully integrated into the surrounding townscape, with heights that relate well to adjoining buildings and spaces. This policy, while of some age, sets out criteria to establish how well-designed development should be judged. In that respect, it is consistent with the Framework, insofar as it seeks to create high quality places."

Whilst the Inspector agreed that the scheme would include more than 10% of the site as open space he agreed with the Council that the proposed spaces either side of the access road did not provide any meaningful opportunities for children's play or would provide restful places concluding it was questionable that these spaces would be used for sitting out either. He concluded his consideration of design matters in paragraphs 22 and 23 of the decision letter thus:

"For these reasons, the proposal would conflict with those aims of LP Policy DG1 that seek to ensure that development is fully integrated into the surrounding townscape, with heights that relate well to adjoining buildings and spaces. This policy, while of some age, sets out criteria to establish how well-designed development should be judged. In that respect, it is consistent with the Framework, insofar as it seeks to create high quality places."

Overall, while sufficient quantity of overall space has been provided, there are significant shortcomings in terms of play opportunities for young children, and the quality of the casual recreation opportunities, particularly given the inability of the space at the entrance to link effectively with the adjoining space. Together with the awkward visual appearance where the neighbouring developments would meet, this means that the proposal would not be sympathetic to the surrounding built environment, nor create an inclusive, accessible place. It would not be visually attractive and would fail to promote healthy living and well-being, with a high standard of amenity for future users. It would, therefore, conflict with the design policies of the Framework, and those aims of Policy CP17 of the Exeter Core Strategy (CS) that seek to ensure that development at Newcourt promotes social interaction, inclusion and healthy living."

The weight given to the Development Plan policies in design matters and confirmation they align with aims of the National Planning Policy Framework is welcome.

- b) Whether there would be adequate mitigation in respect of any impacts upon healthcare and education facilities; and

In determining the appeal the Inspector was satisfied that on the evidence before him in this case that the contributions to the NHS Foundation Trust and for the enlargement of local GPs surgeries were justified. The NHS was represented at the Appeal Hearing.

The Inspector was not satisfied that on the evidence before him in this case that the contributions to new School at SW Exeter and for SEN were justified. The Local Education Authority was not represented at the Appeal Hearing.

- c) Whether the development should provide for improvements to strategic cycle links in the city, specifically the E9 cycle route.

In determining the appeal the Inspector was not satisfied that there was a demonstrable funding shortfall in respect of the E9 cycle route or that such was necessary to make the development acceptable in planning terms or justified as being in scale or kind related to this development. The Local Highway Authority appeared at the appeal Hearing.

In concluding the Inspector considered the planning balance to be applied in this situation where there was a dispute between the Council and the Appellant regarding the five year housing land supply position and whether paragraph 11(d) of the Framework would fall to be considered, he concluded that although no forensic analysis had been carried out, the appellant indicated at the Hearing that the supply was, in their view, likely to be around 4 years and if he were to accept the appellants position, then the benefits associated with the delivery of housing would receive substantial weight. In regards the planning balance he went on to set out his conclusions:

“Nevertheless, the Framework sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It also indicates that access to a network of high quality open spaces is important for the health and well-being of communities. While the delivery of housing is clearly important and a key aim of the Framework, this guidance is in the context of the need for high quality built environments and it does not indicate that delivery should be at the expense of these fundamental outcomes of development. Whilst I note the appellant’s contentions about the current housing situation, The built environment will exist for many years and must continue to provide high quality healthy living environments for future generations.

The site is constrained and certain elements, such as the location of drainage infrastructure, the points of access and the existing cycleway are, to a large extent fixed. Nevertheless, for the reasons given in consideration of the first main issue, I find that this proposal falls appreciably short of the standards on beauty and quality expected by the Framework. Even if I accept the appellant’s position on the housing supply shortfall, this is a harm that significantly and demonstrably outweighs the benefits in this case when considered against the policies of the Framework, taken as a whole.”

In dismissing the appeal the Inspector concluded that even if the “tilted balance” was engaged the harm considered to be caused through matters of poor design and lack of suitable on-site open space “substantially outweighed” the benefits of housing delivery in this case.

The appellant had advanced an argument that the development was not viable with all the contributions required by the Council and NHS but whilst this occupied a considerable part of the two day Hearing he did not explore the matter in reaching his judgement as it would not have affected his decision on the appeal overall.

In respect of the costs applications he concluded that both parties had in some ways acted unreasonably but that neither party had incurred additional costs and declined both parties' applications for costs.

The appeal was dismissed and applications for costs by both parties were also dismissed.

3.7 [20/0020/FUL](#) – **The Annexe, Melbury House, 4 Queens Crescent** - *Use of annexe as independent residential dwelling (Class C3)*

The application relates to a site that is within the Longbrook Conservation Area. It comprises a 19th century three storey building and a two storey annexe at the rear, which was built in the 1960s primarily for use as a garage. Together, Melbury House and the annexe now form a guest house and ancillary manager's accommodation (although the garage door on the annexe remains on the Leighton Terrace frontage). The recent planning history to this site has been complex and need not be recounted at length here. In essence, there has been a number of attempts to move away from guest house use over the past decade or so. The Appellant's preferred option has been HMO use. Melbury House is, however, within the area covered by the St James Neighbourhood Plan and the Council's Article 4 Direction, which both identify that an existing overconcentration of HMOs in the area has affected the balance of the local community. The Appellant therefore decided to submit this application, effectively to separate the annexe from Melbury House and use it as an independent dwelling.

Part of the argument put forward to support this application was that the Appellant was living in the building and that it was, to all intents and purposes, already in separate dwelling use. The Council had reservations about some aspects of this assertion and the Inspector agreed that the information submitted was "unclear and contradictory". The Inspector therefore made his assessment on the same basis as the Council and treated the annexe as ancillary to the guest house.

The Council refused consent for 3 core reasons. The first related to residential amenity. The Council considered that whilst the informal arrangements between Melbury House and the annexe may work with both buildings in guest house use, a formal separation would create some harm. Primarily, the Council was concerned that, because of its proximity, Melbury House has a looming and overbearing impact on the annexe, which would affect privacy, outlook, light and the ability of future occupiers to feel at ease in their home and garden. The Inspector did not accept all of the points that the Council raised but he did conclude that the two ground floor bedrooms with a single northerly aspect would not have adequate outlook or access to natural light, particularly as they would be in close proximity to Melbury House and a proposed boundary fence. "I do not accept", he wrote, "that bedrooms are less susceptible to these limitations, as they are a private refuge within a home and can serve a number of roles beyond sleeping."

The Council had added some additional points to this reason for refusal relating to the loss of amenity space for Melbury House and the impact that this would have on both the continued use of the guest house, especially as many visitors stayed for a period of weeks or months, and on the future use of the building, which the submission itself admitted remained under review. The Council's argument was that granting consent for this scheme could have a significant impact on some future options for Melbury House. The Inspector chose not to comment on these matters directly observing that the development plan had no policies on the quality of accommodation provided by guest houses and that the future use of Melbury House was a matter of speculation.

The second reason for refusal related to heritage impacts. The Council outlined a number of areas where it considered that the scheme would result in harm to the character, appearance and layout of the Longbrook Conservation Area. Some of these related to layout – primarily that the formal division would result in an overly intensive use of the existing Melbury House plot to the detriment of the character and appearance of the local area. Others were more visual – such as the retention of an existing unauthorised fence at the rear and proposed alterations to the annexe on the Leighton Terrace frontage (which essentially would have replaced a garage door with windows). The Inspector did not conclude that the severance of the Melbury House plot would cause harm to the conservation area. He also considered the impact of the existing fence to be “innocuous”. He did agree, however, that the alterations to the building would be unacceptable. He wrote:

“The Annexe and a nearby garage are identified by the Longbrook Conservation Area Appraisal as having a neutral role in the CA. To my mind, this is because the Annexe looks like a garage, and therefore reads as low in status and subservient in purpose to Melbury House. The conversion of the Annexe would include the infilling of the mock garage opening with render and the insertion of two apertures. In my view, this would lead the building to have a contrived appearance and a confused identity within the public realm, which would lead it to convey a negative presence inside the CA.”

The third reason for refusal was largely a technical one relating to the lack of a financial payment to mitigate the development's impacts on the Exe Estuary Special Protection Area. Where a proposal is unacceptable for other reasons, this matter does present some practical difficulties. The Council requires that habitat's mitigation payments are made prior to a planning permission being issued but there are no obvious reasons to take the payment, and subsequently refund it, if permission is to be refused for other reasons. The Case Officer advised the Appellant's Agent that if an appeal were to be made, then it would be best for the payment to be made immediately so that the Council could confirm that the reason for refusal no longer applied. The Agent chose not to do this but instead to request that the matter be conditioned. A costs application was also submitted, which argued that the Council had been unreasonable in refusing planning permission for this reason. In the Planning decision, the Inspector noted that the Appellant was willing to make the payment. However, in the Costs decision he wrote:-

“It is not at all certain that the SPA issue could have been reasonably left to a condition. This is because, as competent authority, the Council are obliged to adopt the precautionary principle and have a duty under the Habitats Regulations to ascertain that likely significant effects can be ruled out before permission is granted. This process does not lend itself to a reliance on conditions that are to be discharged after permission has already been granted.”

There were other reasons cited by the Appellant to justify an award of costs against the Council. These included citing reasons for refusal that could have been dealt with by condition, refusing consent on heritage grounds without consulting the Council's lead heritage officer and a failure to work proactively to secure a planning consent for the scheme. In its statement, the Council accepted the first point but disputed the other two. It argued that the issues affecting the conservation area were largely ones relating to visual impacts on street scenes and density of development – all matters that are routine considerations for any planning officer at a local planning authority. It also pointed to a long period of engagement with the Appellant to try to resolve planning problems at the site. The Inspector broadly accepted the Council's case and concluded that any criticisms that could

be made were not directly related to the main substance of the dispute between the two parties.

Whilst the Council's case was not supported in its entirety, the Inspector dismissed the Appeal and refused to award costs.

4. New Appeals

- 4.1 [20/1158/FUL](#) – **141 Salters Road** – *Proposed new two-bedroom dwelling.*
- 4.2 [21/0209/FUL](#) – **8 Lower Kings Avenue** – *Construction of porch extension.*
- 4.3 [21/0223/OUT](#) - **Land At Home Farm Between Church Hill And Park Lane** - *Outline planning application for the construction of up to 61 dwellings and associated infrastructure.*
- 4.4 [21/0941/FUL](#) – **66 Tollards Road** - *Two storey side and single storey wraparound extensions.*
- 4.5 [21/0945/FUL](#) - **Land South Of 15 The Fairway** - *New two storey dwelling.*
- 4.6 [21/1216/FUL](#) – **13C St James Road** - *Change of use of building from B1 Office use to a dwelling.*
- 4.7 [21/1638/FUL](#) – **16-18 Sidwell Street** - *Change of use of first and second floor from mixed use (Use Class C3 dwellinghouse and Sui Generis betting office) to House in Multiple Occupation for six residents (Use Class C4).*
- 4.8 [21/1723/FUL](#) – **12 Tokesen Drive** – *Hip to gable attic conversion.*

Bindu Arjoon
Deputy Chief Executive

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) - Tel: 01392 265275