

PLANNING COMMITTEE

Monday 21 March 2011

Present:-

Councillor Mrs Henson (Chair)
Councillors Cole, P J Brock, Edwards, Mrs J Morrish, Newby, Prowse, Sheldon, Sutton,
Wadham and Winterbottom

Also Present

Director Economy and Development, Head of Planning and Building Control, Development
Manager, Planning Solicitor, Conservation Officer, Trainee Legal Executive and Member
Services Officer (SJS)

27

MINUTES

The minutes of the meetings held on 17 January 2011 were taken as read and
signed by the Chair as correct.

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DECLARATIONS OF INTEREST

Members declared the following personal interests:-

COUNCILLOR	MINUTE
Councillor P.J. Brock	31 (member of Devon County Council)
Councillor Prowse	29 (student landlord) 30 (student landlord) 31 (member of Devon County Council)

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PLANNING APPLICATION NO.10/1906/03 & CONSERVATION AREA CONSENT NO.10/1912/14 - 69-73, SIDWELL STREET, EXETER

Councillor Prowse declared a personal interest as a student landlord.

The Development Manager presented the applications for planning permission and
conservation area consent for alterations and refurbishment to number 69,
demolition of existing retail establishment (71-73) and replacement with a new build
mixed use development comprising student accommodation including external
seating, ancillary spaces, retail unit and associated works 69-73, Sidwell Street,
Exeter.

Members were advised that these applications were reported to the January 2011
meeting of the Planning Committee, when Members resolved to approve them
subject to completion of a Section 106 legal agreement. It was subsequently
established that the statutory requirement to consult English Heritage had not been
met in this instance. The views of English Heritage had now been received.

The proposal was for student accommodation for 96 bed spaces with a retail unit on
the ground floor and conservation area consent was sought to demolish nos.71-73
Sidwell Street, no.69 would be retained. The building would be brick and render with
a slate roof.

The Development Manager updated Members on officers' response to the six
specific points raised by English Heritage including the viability of the scheme
enabling the ability to demolish part of the frontage to enable building work behind

to take place; the heritage value of the buildings to be demolished, the replacement buildings and impact on the street scene. He clarified the position with regards to Government guidance contained within PPS5, the adopted Supplementary Planning Guidance relating to the expansion of the University and the value of providing managed purpose-built student accommodation in a city centre location. He addressed the relationship between the proposal and the listed terrace in Oxford Road and the long range views from Blackall Road. The Development Manager stated that English Heritage had not formally objected to the proposals.

Members were advised that one late letter of objection had been received.

The recommendation was that the planning application be delegated to the Head of Planning and Building Control to approve, subject to the completion of a Section 106 legal agreement and conditions as set out in the report, and the conservation area consent be delegated to the Head of Planning and Building Control to approve subject to conditions as set out in the report.

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

- although English Heritage had not formally objected to the proposal, they had serious concerns
- in his view would not enhance the conservation area or provide any public benefit
- English Heritage commented that there had been no strategic approval to student accommodation and this proposal was the equivalent to 45 medium size hotels
- the proposal was out of scale with the defining townscape and the design of the buildings to the rear were too large; this proposal set a dangerous precedent
- the buildings proposed to be demolished did make a positive contribution to the conservation area
- the application was contrary to the Council's Local Plan Policies as the buildings were of special architectural interest and of historic importance in the conservation area; the new build did not respect the historic setting of the area or harmonise with the existing buildings
- this proposal would stand out and the area did not need a new landmark building
- the buildings to the rear would obscure views across St James
- there would be an over concentration of students in the area with the student accommodation at near-by James Owen Court and another proposal for student accommodation in the vicinity due to come to the next meeting
- no strategic assessment had been undertaken; did not harmonise with the conservation area; was detrimental to the Grade II listed buildings in Oxford Road; would cause an imbalance in the area by the over concentration of students; was a poor design and asked Committee to refuse the application.

In answer to Members' questions, Councillor Mitchell stated that the current proposal was too large and a new proposal on a smaller scale could be viewed in a more positive light.

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

- this proposal would have a negative impact on the residents of Newtown caused by the increase in the level of late night noise and anti social behaviour
- there were eleven late night takeaways in Sidwell Street; the tenants of the 70 Council flats which housed the elderly and parents deserve a decent nights sleep

- the Supplementary Planning Guidance 2007 on student accommodation did not have a time limit when it should be reviewed
- with the existing student accommodation and those proposed there would be 1,122 students in this small area of the city; this would cause an imbalance between residents and students
- this proposal would upset the balance of the small independent shops on Sidwell Street
- over 6000 square metres of retail space would be lost by this proposal
- with taxi's now not operating outside Arena nightclub the late night noise nuisance would increase in the area by people walking to the taxi rank in Sidwell Street
- this application would cause an over concentration of students in the area and increase the problems with late night noise in Sidwell Street and surrounding areas.

In response to a Member, Councillor Branston stated that should a smaller scale be submitted he would be mindful of the views of the public in deciding whether to support it.

Dr J Cox spoke against the application. She raised the following points:-

- the building was ideal for mixed use
- the building should be protected from demolition
- the three Georgian buildings of traditional materials were identified as making a positive contribution to the conservation area
- 71-73 Sidwell Street were in a group of Georgian buildings and were a row of low buildings between a listed building and the Odeon
- If you demolish buildings in a conservation area you need to replace with better quality buildings than existing the proposed were not
- the buildings did need some improvements and alterations
- 100 students would cause over concentration in the area and have a damaging impact
- once demolished would be lost for good
- asked Committee to refuse the application.

Mr Vallis (representing applicant) spoke in support of the application. He raised the following points:-

- the principal of student accommodation had been established at the January Planning Committee when the application had been approved
- English Heritage had commented but not objected or asked for the application to be refused
- this proposal was for student accommodation which would help to free up private sector housing for families
- the officers report stated that the application was in accordance with the Council's Supplementary Planning Guidance and Government Policy PPS 5
- was like a shanty town to the rear
- would provide a retail unit on ground floor
- asked Committee to accept officer's recommendation.

In response to a Members' question, Mr Vallis stated that the only way to improve the rear curtilage was through the demolition of 71-73 Sidwell Street.

During discussion Members raised the following points:-

- the buildings would obscure views in St James
- buildings to the rear were too high and out of keeping with the area
- would have a negative impact on the street scene
- if the roof was raised the chimney would be less prominent

- why couldn't the existing building be renovated? did the existing buildings have to be removed to tidy up the rear?
- students could be better managed when in one building rather than in HMO's
- the design was inappropriate
- the city centre was the ideal location for student accommodation
- cause over concentration of students in the area
- need to provide more purpose built student accommodation to house the increasing number of students coming to the University
- the tenants in the Council flats opposite had not objected
- there were other areas in the city that had a higher concentration of students.

In answering a Members' question, the Development Manager confirmed that the chimney to the gable of no.69 was to be retained.

The Conservation Officer informed Members that the buildings to the rear had been revised from the original design at the request of officers so that they were not any higher than the parapet of the Odeon; 71-73 Sidwell Street were not defined individually in the conservation area appraisal; discussions had been undertaken with the applicant regarding the height, treatment and materials; and the ground floor retail would have two shop fronts this was more in keeping with the area.

Whilst some Members were of the opinion that the proposal was acceptable, other Members had concerns regarding the effect that the proposal had on the street scene and conservation area, the comments from English Heritage and the over concentration of students in the area.

RESOLVED that the application for alterations and refurbishment to number 69, demolition of existing retail establishment (70-73) and replacement with a new build mixed use development comprising student accommodation including external seating, ancillary spaces, retail unit and associated works be delegated to the Head of Planning and Building Control to **approve** subject to a Section 106 agreement as set out in the report and the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 16 November 2010 (dwg. nos. 10076.L.02.01 P2, 10076.L.02.01 P1, 10076.L.02.02 P1, 10076.L.02.10 P1, 10076.L.02.11 P1, 10076.L.02.12 P1, 10076.L.03.01, 10076.L.03.02, 10076.L.04.00 P2, 10076.L.04.10 P1 and 10076.L.93.01) and 23 December 2010 (dwg. nos. 10076.L.01.01 P2, 10076.L.04.01 P2, 10076.L.93.00 P3 and 10076.L.94.00 A) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) C70 - Contaminated Land
- 7) C57 - Archaeological Recording

- 8) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of local amenity.
- 9) As a minimum, the development shall achieve the 'Minimum Recommended Sound Reduction Index (SRI) for External Building Fabric Glazing' at the locations specified in Tables 3 and 4 of the WSP acoustic report submitted as part of the application and dated 24 December 2010. Rooms facing onto Sidwell Street shall be provided with mechanical ventilation which achieves at least the same level of reduction in external ambient noise levels as the glazing units on that façade.
Reason: In the interests of the amenity of future occupants.
- 10) The level of noise emitted from fixed plant and equipment on the site shall not exceed a rating noise level of 43dB (measured in accordance with BS4142:1997) at the nearest residential receptors (or other surrogate point with appropriate distance corrections). The developer shall demonstrate by measurement compliance with this level prior to occupation of the development and as requested by the LPA thereafter.
Reason: In the interests of local amenity.
- 11) Notwithstanding Condition 2, no work shall commence on site under this permission until details of the following have been submitted to and approved in writing by the Local Planning Authority:-
a) full elevational and sectional details of the development to a scale of 1:20 and 1:5 to include details of:-
i) windows, including colour, materials, cills, headers and reveals;
ii) the roof ridge, hip detailing, eaves, verges, rainwater goods, canopies and external doors;
Reason: To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development, in the interests of the character and appearance of the St Sidwell's Conservation Area.
- 12) No deliveries shall be taken at or dispatched from the site outside the hours of 7am to 11pm Monday – Saturday, 10am to 4pm on Bank or Public Holidays, and at no time on Sundays.
Reason: To minimise the impact on local residents.
- 13) The development shall operate within the terms of the Travel Plan Technical Note submitted by the applicant and dated 5 January 2011. This shall be updated annually in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.
Reason: In the interests of minimising the impact of private vehicle travel associated with the development.

In the event that the Section 106 agreement is not completed by 21 April 2011, authority be delegated to the Head of Planning and Building Control to refuse permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the Section 106 agreement.

RESOLVED that the conservation area consent for demolition of existing retail establishment (70-73) be delegated to the Head of Planning and Building Control to **approve** subject to the following conditions:-

- 1) C08 - Time Limit - L.B. and Conservation Area

2) C58E - Contract Prior to Demolition

3) C57 - Archaeological Recording

In the event that the Section 106 agreement is not completed by 21 April 2011, authority be delegated to the Head of Planning and Building Control to refuse permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the Section 106 agreement.

(Report circulated)

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**PLANNING APPLICATION NO.10/1979/03 - FORMER TENNIS COURTS,
BISHOP BLACKALL ANNEXE, THORNTON HILL, EXETER**

Councillor Prowse declared a personal interest as a student landlord.

The Head of Planning and Building Control presented the application for development to provide a three storey building comprising nine flats with extended disabled facilities, access to highway, parking and associated works (amendment to 10/1533/03 granted 01 November 2010) at the former Tennis Courts, Bishop Blackall Annexe, Thornton Hill, Exeter.

Members were advised that this proposal was very similar to a scheme approved by the Planning Committee in November 2010 with changes internally to accommodate an increase in disabled facilities. Prior to the approval, a slightly larger scheme was refused and subsequently dismissed on appeal.

The site comprised the former tennis courts of the Bishop Blackall School and was in the Longbrook Conservation Area. The proposal was a three storey student accommodation block initially comprising 42 bedrooms now revised to 36 flats in nine flats. The upper storey was within the roof space. Parking would be provided for four vehicles together with turning space. This application sought to address the Inspectors comments on the application that had been refused and subsequently dismissed at appeal

The Head of Planning and Building Control informed Members that a result of comments from the Area Working Party revised plans had been submitted which showed a reduction in the total floorspace from 433 square metres to 377 square metres equating to 13%. Members were circulated with an update sheet giving details of revised plans that had been received.

The recommendation was that the application be delegated to the Head of Planning and Building Control to approve subject to the completion of a Section 106 legal agreement to secure a financial contribution towards a new traffic order, and to secure an appropriate management agreement and conditions as set out in the report.

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

- expressed anger over the way application had been handled in relation to the omission of consultation with English Heritage
- the scale, layout and appearance of the building would be harmful to Thornton Hill
- would not preserve or enhance the conservation area
- contrary to government guidance PPS 5 and local plan policy C1 and GG1
- English Heritage's response was brief as there was already an approval on the site
- welcomed the revisions to the roof

- not in keeping with the conservation area and would not harmonise with the locality
- read out a quote from a local residents email stating concerns regarding lack for consultation with English Heritage, the Inspector recommendations regarding the dismissed appeal had not been incorporated in this development; inappropriate proposal for the street scene; and would not make a positive contribution to the conservation area
- questioned the legality of the previous approval and asked about its revocation; was premature to consider this application whilst there was concerns over the validity of the previous approval.

The Planning Solicitor clarified the position with regards to any possible revocation of the previous approval.

The Head of Planning and Building Control clarified that applicants had a right to expect a decision even if an appeal on the same site was outstanding. He stated that this was a new application and not a revision of the previous approval.

Mr Reeves (representing local residents) spoke against the application. He raised the following points:-

- lived close to the development
- the proposal was in a special road dating back to the Arts and Crafts period
- was a unique road in the conversation area
- the houses in the area were similar in appearance
- agreed with English Heritage and the Inspector's comments
- welcomed the revised plans, as it was now further away from 2 Thornton Hill, however it was still a large mass building
- would have negative impact on 2, 6a, 6 and 8a Thornton Hill
- if the application was approved a condition should be added stating that this decision superseded the previous approval.

In response the Head of Planning and Building Control stated that a condition could not be added to stop the developers from implementing the previous approval.

Mr Simons (agent) spoke in support of the application. He raised the following points:-

- there was already an approval for student accommodation on this site
- this application had been amended to take on board comments from the Area Working Party
- the proposal would be used to accommodate disabled students
- materials would be brick and render with a red clay tiled roof
- the building had been reduced by 1500 square feet to that of the previous approved application
- the building would only occupy 22% of the site
- St Loyes wished to relocate from Hope Court
- a lift would be installed to enable disabled access to all floors
- 112 consultation letters were sent out; only 11 objections received.

The Head of Planning and Building Control advised that if this application was approved the applicant could implement this decision or the previous approved proposal.

RESOLVED that the application for development to provide three storey building comprising 9 flats with extended disabled facilities, access to highway, parking and associated works (amendment to 10/1533/03 granted 01 November 2010) be delegated to the Head of Planning and Building Control to **approve** subject to a Section 106 legal agreement to secure a financial contribution towards a new traffic

order, and to secure an appropriate management agreement and the following conditions:-

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 13 September 2010 (dwg. no. 1800/10/042 A), 6 October 2010 (dwg. no. 1800/10/040 B) and 22 October 2010 (dwg. nos. 1800/10/041 A & 1800/10/043), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C15 - Compliance with Drawings
- 4) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.
- 5) The site shall not be used for any purpose other than that hereby approved and no other use (including any use within the same Use Class [Class C4] as defined by the Town and Country Planning Use Classes Order 1987 or any Order revoking and re-enacting that Order) shall be carried out without the formal consent of the Local Planning Authority.
Reason: The approved development is not suitable for any use other than that approved.
- 6) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 7) Any trees, shrubs and/or hedges on or around the site shall not be felled, lopped or removed without the prior written consent of the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 8) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

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

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

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

- 10) No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of local amenity.

- 11) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of local amenity.

- 12) Details of all building services plant, including sound power levels and predicted sound pressure levels at a specified location outside the building envelope, shall be submitted to and approved in writing by the local planning authority. The predicted noise levels shall be submitted prior to commencement of the development and shall be demonstrated by measurement prior to occupation of the development.

Reason: In the interests of local amenity.

- 13) No development shall take place on site until a full survey of the site has taken place to determine the extent of contamination of the land and the results together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) 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 the site is in such a condition as to be suitable for the proposed use.

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

- 14) Notwithstanding Condition 2, no work shall commence on site under this permission until details of the following have been submitted to and approved in writing by the Local Planning Authority:-
- a) full elevational and sectional details of the development to a scale of 1:20 and 1:5 to include details of:-
 - i) windows, including colour, materials, cills, headers and reveals;
 - ii) the roof ridge, hip detailing, eaves, verges, rainwater goods, canopies and external doors;
 - b) provision of refuse storage
 - c) provision of cycle storage

d) external lighting

Reason: To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development within the Longbrook Conservation Area and in relation to adjoining buildings.

- 15) No part of the development hereby approved shall be brought into its intended use until the off-street parking and servicing facilities shall have been provided in accordance with the requirements of this permission and retained for those purposes at all times.

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

- 16) No part of the development hereby approved shall be occupied until a travel pack has been provided informing all residents of the car free status and the location of all local and main shopping, leisure and public transport facilities and shall include timetables, as appropriate, all in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that all occupants of the development are aware of the car free status.

- 17) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials during the construction period, in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.

Reason: In the interests of public safety and to avoid obstruction of and damage to the adjoining highway.

- 18) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB.

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

In the event that the Section 106 agreement is not completed within one month of the date of the resolution to approve, authority be delegated to the Head of Planning and Building Control to refuse permission for the reason that inadequate provision has been made for the matters that were intended to be dealt with in the Section 106 agreement.

(Report circulated)

31

**PLANNING APPLICATION NO.11/0206/26 - LAND AT PINHOE QUARRY,
HARRINGTON LANE, EXETER**

Councillor P J Brock declared a personal interest as a member of Devon County Council.

Councillor Prowse declared a personal interest as a member of Devon County Council and left the meeting during consideration of the item.

The Head of Planning and Building Control presented the Devon County Council consultation for submission of details required under conditions 22, 24 & 26 of the Review of Old Mineral Permission (Ref: 00/1278/25) at land at Pinhoe Quarry, Harrington Lane, Exeter.

Members were advised that Devon County Council had received an application relating to the submission of schemes for the restoration of Pinhoe Quarry. Mineral extraction at the quarry had ceased and there was a requirement to restore the site. The submission of a restoration and aftercare scheme was required by conditions 22, 24 and 26 of a Review of Old Minerals Permission (ROMP) granted in 2000. The landowner was seeking to agree the required details with Devon County Council in order that the restoration works could commence.

Members were advised that the restoration material would be imported by HGV and would access Pinhoe Quarry via the Harrington Lane entrance. This would generate an increase in HGV movements on the wider highway network.

The recommendation was that no objection was raised to the proposals subject to consideration of the comments made by the Head of Environmental Health Services.

Councillor Mrs Thompson, having given notice under Standing Order No.44, spoke on this item. She raised the following points:-

- a public meeting had taken place regarding the future use of Pinhoe Quarry
- understood that there was obligation to fill the quarry but had concerns regarding adequate infrastructure being in place to facilitate this
- there were two applications for this site
- was in favour of restoration; residential development would result in a larger increase in traffic movement
- restoration would maintain the character of the area and encourage wildlife
- HGV vehicles would not produce the volume of traffic that a residential development would
- A new road along Exhibition Way would be required to facilitate this proposal
- there could be two planning consents for this site.

The Head of Planning and Building Control stated that any application for housing on this site would come to this Committee to determine, this application would be determined by Devon County Council.

A Member raised serious concerns regarding the inadequate road structure in the Pinhoe area, its capacity to cope with the projected increase in HGV movements and if the developer would be obliged to make contributions towards a new link through Exhibition Way.

Members were of the opinion that the developer should provide a financial contribution towards the cost of the link and that until the link was implemented there should be a limitation on commencement of deposit of waste.

RESOLVED that no objection is raised to the proposals subject to:

- i) Consideration of the comments by the Head of Environmental Services; and
- ii) Traffic in the Pinhoe area has increased since the ROMP due to natural growth and recent developments this will continue to increase due to the future proposed development in Pinhoe and just over the boundary in East Devon. The Pinhoe Access Strategy proposes a new link road from Exhibition Way to Harrington Lane to serve the area. A financial contribution towards should be sought the cost of the link and a limitation placed on commencement of deposit of waste until it is available.

(Report circulated)

**LISTED BUILDING CONSENT NO.10/2055/07 - 9 COLLETON CRESCENT,
EXETER**

The Development Manager presented the application for Listed Building Consent for the installation of folding doors between the dining room and living room at 9 Colleton Crescent, Exeter. The dwelling was an end terrace Grade II* Listed Building located within the Southernhay and Friars Conservation Area.

The recommendation was for refusal of the application for Listed Building Consent for the reason as set out in the report.

The Conservation Officer advised that the installation of the folding doors would detract from a fine front room and was contrary to Government guidance contained with PPS5.

Whilst one Member was of the view that the installation of folding doors was acceptable the majority of Members agreed with the recommendation to refuse the Listed Building Consent

RESOLVED that the application for Listed Building Consent for installation of folding doors between dining room and living room be **refused** for the following reason:-

- 1) The proposal relates to a grade II* listed building located within the Southernhay Conservation Area. The proposal is contrary to Planning Policy Statement 5: Planning and the Historic Environment (specifically Paragraphs HE9.1 and 9.2), the Historic Practise Guide (March 2010) paragraph 182, Policy C07 of the Devon Structure Plan 2011 to 2016 and Policy C2 of the Exeter Local Plan First Review 1995 to 2011 because the works would have a detrimental impact on the fabric and form of a highly significant listed building.

(Report circulated)

PLANNING APPLICATION NO.11/0144/03 - 13 DENMARK ROAD, EXETER

The Head of Planning and Building Control presented the application for the ground floor extension to north east elevation at 13 Denmark Road, Exeter.

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

RESOLVED that the application for ground floor extension to north east elevation be **approved** subject to the following conditions:-

- 1) C05 – Time Limit – Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 28 January (dwg. No. D3), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 – Submission of Materials
- 4) No development shall commence unless works in connection with the approved scheme at No. 11 Denmark Road (Ref. 11/0145/03) are commenced simultaneously.

Reason: To ensure the approved scheme is built at the same time as the approved scheme at No. 11 Denmark Road and in the interests of residential amenity.

(Report circulated)

34 **PLANNING APPLICATION NO.11/0145/03 - 11 DENMARK ROAD, EXETER**

The Head of Planning and Building Control presented the application for the ground floor extension to the south west elevation at 11 Denmark Road, Exeter.

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

RESOLVED that the application for ground floor extension to south east elevation be **approved** subject to the following conditions:-

- 1) C05 – Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out other than in strict accordance with the submitted details received by the Local Planning Authority on 28 January 2011 (dwg. no. D3), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 – Submission of Materials
- 4) No development shall commence unless works in connection with the approved scheme at No. 13 Denmark Road (ref. 11/0144/03) are commenced simultaneously.
Reason: To ensure the approved scheme is built at the same time as the approved scheme at No. 13 Denmark Road and in the interests of residential amenity.

(Report circulated)

35 **PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND WITHDRAWN APPLICATIONS**

The report of the Head of Planning and Building Control was submitted.

RESOLVED that the report be noted.

(Report circulated)

36 **ENFORCEMENT PROGRESS REPORT**

The Head of Planning and Building Control presented the report updating Members on enforcement matters.

A Local Ward Member requested that the application to the County Court for an Injunction Order in respect of unauthorised signage on Route 2, 1-2 Monmouth Hill Topsham be deferred for further talks with the owners to resolve the situation. This was not supported by the majority of the Committee Members.

RESOLVED that the report be noted.

(Report circulated)

37

APPEALS REPORT

The Head of Planning and Building Control presented the schedule of appeal decisions and appeals lodged.

RESOLVED that the report be noted.

(Report circulated)

38

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 5 April 2011 at 9.30 a.m. The Councillors attending will be Edwards, Mrs Henson and Wadham.

(The meeting commenced at 5.30 pm and closed at 8.55 pm)

Chair