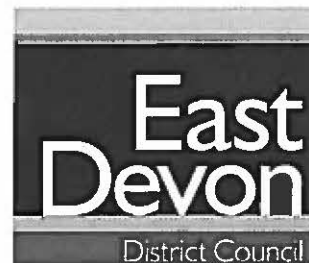


Date: 10 March 2010
Contact number: (01395) 517542
E-mail: hjarvis@eastdevon.gov.uk
Our Reference: HJ



To:

Members of the Planning Inspections Committee:
(Councillors: Geoff Chamberlain, Iain Chubb, Andrew Dinnis,
Paul Diviani, Ray Franklin, Mike Green Helen Parr, Pauline Stott)

Ward Members:
(John Humphreys, Mark Williamson, Tim Wood)

Head of Planning and Countryside Services
Development Manager
Senior Solicitor

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**Planning Inspections Committee
Friday 19 March 2010 at 10.00 am**

The above Committee meeting will be held at **St. Francis Hall, Woolbrook Road, Sidmouth** to consider the matters detailed on the agenda below. Ward Members are reminded that they are Members of the Inspections Committee for the purpose of any application within their own Ward but do not have voting rights. For the purpose of such applications, they are also entitled to attend the informal site inspections to be carried out by the Committee.

Members of the public are welcome to attend and speak at this meeting provided they have entered their name against the relevant speaking sheet located near the entrance to the Hall;

- The relevant Officer will introduce and outline the item to be discussed. The public will then be able to speak on that matter only.
- All individual contributions will be limited to a period of 3 minutes – where there is an interested group of objectors or supporters, a spokesperson should be appointed to speak on behalf of the group. Extra papers and/or handouts **cannot** be circulated at the meeting. There is a timing clock to assist you.
- Speakers should restrict their comments to planning considerations only.
- The Chairman has the right and discretion to control questions and irrelevant points being raised to avoid disruption, repetition and to make best use of the meeting time.
- Speakers are asked not to come to the microphone if their points have already been covered.
- After the public speaking period has finished the consideration of reports will begin and the public will take no further part in the meeting.
- All attendees at the meeting are asked to offer all speakers the courtesy of listening to others' points of view, even if they do not agree with it.
- The Chairman will not tolerate any interruptions from the public and is entitled to exclude people from the meeting if the business of the committee cannot be carried out effectively

AGENDA

Page/s

- | | | |
|---|--|-------|
| 1 | To confirm the minutes of the meeting of the Planning Inspection Committee held on 19 February 2010. | 4 - 6 |
| 2 | To receive any apologies for absence. | |
| 3 | To consider any items which in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances. | |

(Note: Such circumstances need to be specified in the minutes; any Member

wishing to raise a matter under this item is requested to notify the Chief Executive in advance of the meeting).

- 4 To agree any items to be dealt with after the public (including the press) have been excluded. There are no items which the Officers recommend should be dealt with in this way.
- 5 To consider the following planning application and updated report which the permanent, including substitute, Members of the Planning Inspections Committee informally inspected on 22 January 2010. The application was deferred on the 22 January 2010 for negotiations with the applicant:

Exmouth Littleham 09/2192/MFUL	Demolition of existing redundant student accommodation and construction of 40 bed residential care home at 14 Cyprus Road, Exmouth for Mr G Turton.	Update Report	7 – 44
		Original Report	45 -94

Members please note:

- ❑ You must declare the nature of any personal or prejudicial interests in an item whenever it becomes apparent that you have an interest in the business being considered.
- ❑ Where you have a personal interest because the business relates to or is likely to affect a body of which you are a member or manager as an EDDC nominee or appointee, then you need only disclose that interest when (and if) you speak on the item. The same rule applies if you have a personal interest in relation to a body exercising functions of a public nature.
- ❑ Make sure you say the reason for your interest as this has to be included in the minutes.
- ❑ If your interest is prejudicial you must leave the room unless you have obtained a dispensation from the Council's Standards Committee or where Para 12(2) of the Code can be applied. Para 12(2) allows a Member with a prejudicial interest to stay for the purpose of making representations, answering questions or giving evidence relating to the business but only at meetings where the public are also allowed to make representations. If you do remain, you must not exercise decision-making functions or seek to improperly influence the decision; you must leave the meeting room once you have made your representation.
- ❑ You also need to declare when you are subject to the party whip before the matter is discussed.

[illegible]

The following **bus service** stops outside the Council Offices on Station Road:

The following buses all terminate at the Triangle in Sidmouth. From the Triangle, walk up Station Road until you reach the Council Offices (approximately ½ mile).

From Ottery St Mary – 379, 387

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Planning Inspections Committee held at the Knowle, Sidmouth on Friday 19 February 2010

Present:	Councillors: Paul Diviani (Chairman) Andrew Dinnis (Vice Chairman) Geoff Chamberlain Iain Chubb Ray Franklin Graham Troman Mark Williamson
Officers:	Stephen Belli, Development Manager Hannah Jarvis, Assistant Democratic Services Officer Andrew Seddon, Senior Solicitor
Ward Members:	Malcolm Florey Steve Hall
Apologies:	Helen Parr Pauline Stott

The meeting started at 10.30 am and ended at 11.05 am

***13 Minutes**

The minutes of the meeting of the Planning Inspections Committee held on 22 January 2010 were confirmed and signed as a true record.

***14 Application referred to the Planning Inspections Committee**

The Committee considered the application referred to it by the Development Management Committee. Members of the Planning Inspections Committee along with the Development Manager and Assistant Democratic Services Officer had informally visited the site earlier that day.

The following decision was made having taken into account the report previously submitted to the Development Management Committee which had been brought to Members' attention, noted by them and updated during the site visit.

- (a) Budleigh: Application No: 09/2305/FUL – New dwelling at Land adjoining Summerlands, Cricket Field Lane, Budleigh Salterton for Mr and Mrs Shorney

RESOLVED: that the application be APPROVED in conjunction with the submitted Unilateral Undertaking (including the Addendum) signed by Brian Shorney and Christine Elizabeth Shorney, and dated 5 November 2009 and subject to the following conditions:

Conditions

1. The development hereby permitted shall commence before the expiration of five years from the date of this decision.
(Reason - To comply with Section 60 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)

***14 Application referred to the Planning Inspections Committee (cont'd)**
(a) Budleigh: Application No: 09/2305/FUL – New dwelling at Land adjoining Summerlands, Cricket Field Lane, Budleigh Salterton for Mr and Mrs Shorney

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason – To ensure that the development is compatible with the location and conservation area.)
3. No works or development shall take place until full details of tree planting in the vicinity of the dwelling, and the proposed times of planting, have been submitted to and approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times. If within a period of two years from the date of the planting any tree, that tree, or any tree planted in replacements for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written approval to any variation.
(Reason – To ensure that the development is suitable assimilated within the landscape and the designated setting.)
4. Before the work hereby authorised begins steps shall be taken to secure the safety and stability of the boundary wall which is to be retained. Such steps shall, where necessary, include measures to strengthen the wall and to provide protection for it during the progress of the works. Details of such proposals shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not proceed otherwise than in strict accordance with the details agreed.
(Reason – To ensure that the boundary wall, which contributes greatly to the Budleigh Conservation Area, is suitably protected and retained).
5. No development shall take place and no equipment, machinery or materials be brought onto the site until a plan showing the precise position of the Root protection Areas (RPAs) of all trees in the vicinity of the dwelling hereby approved, and the details for fencing those areas, have been submitted to and approved in writing by the local planning authority. Nothing shall be stored or placed in the fenced area and ground levels within it shall not be altered, nor shall any excavation be made without the written approval of the local planning authority. No burning/bonfires shall take place in a position where the flames could extend to within 5 M of any part of the tree.
(Reason – To ensure suitable protection of the nearby Trees, which retain intrinsic value to the Conservation Area.)

- (a) Budleigh: Application No: 09/2305/FUL – New dwelling at Land adjoining Summerlands, Cricket Field Lane, Budleigh Salterton for Mr and Mrs Shorney

6. No development shall take place until full details of the foundation design for any part of the approved building, or for any other above or below ground work, within the RPAs have been submitted to and approved in writing by the local planning authority. All work shall be carried out in accordance with the approved details.
(Reason – To ensure suitable protection of the nearby Trees, which retain intrinsic value to the Budleigh Salterton Conservation Area.)
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any order revoking and re-enacting that Order with or without modification), no works within Schedule 2 Part 1 Classes A – F inclusive shall be carried out.
(Reason – The layout of the dwelling, private amenity space available and proximity of protected trees would not permit such additions or alterations without detriment to the character and appearance of the property or grain of the conservation area.)
8. No development shall take place until details of surface water drainage for the site have been submitted to and approved in writing by the local planning authority. All work shall be carried out in accordance with the approved details.
(Reason – To ensure that adequate surface water drainage is provided without detriment to the wider area.)
9. No development shall commence until details and specification of the roof eaves and verge, including construction and finishes, have been submitted to and approved in writing by the Local Planning Authority. The works as agreed shall be carried out in accordance with the approved details.
(Reason - In the interests of maintaining the historic character of the conservation area.)
10. No work shall commence until a detailed construction management plan which shall include details of how construction vehicles can safely access the site, unload materials, parking and turning arrangements, hours and days of construction operation, has been submitted to and agreed in writing with the Local Planning Authority. The development shall proceed in accordance with the details so agreed unless any written variation has been submitted to and agreed in writing by the Local Planning Authority
(Reason - Given the constraints on access and the proximity of neighbouring properties it is considered necessary to control how development takes place in the interests of highway safety and residential amenity.)

(Councillor Paul Diviani declared a personal interest in application as a County Council representative on the East Devon AONB Board and remained in the Chamber to speak and vote. Councillor Malcolm Florey declared a personal interest in the application as a representative on the East Devon AONB Board and remained in the Chamber to speak.)

Chairman

Date

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