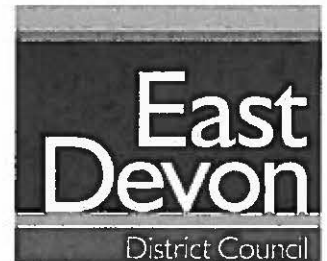


Date: 5 May 2010
Contact number: (01395) 517542
E-mail: hwhitfield@eastdevon.gov.uk
Our Reference: HW



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:
(Ray Bloxham, Sara Randall Johnson)

Head of Planning and Countryside Services
Development Manager
Senior Solicitor

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**Planning Inspections Committee
Friday 14 May 2010 at 11.00 am**

The above Committee meeting will be held in the Council Chamber, Knowle, Sidmouth to consider the matter 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 are requested to bring their previously circulated copies of the Development Management Committee reports to the meeting. Please note the assembly time of 8.30 am in the Members Area, Knowle, for the visiting Members of the Planning Inspections 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 Council Chamber:

- 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 16 April 2010. 4 - 8
- 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 which the permanent, including substitute, Members of the Planning Inspections Committee have informally inspected during the day:

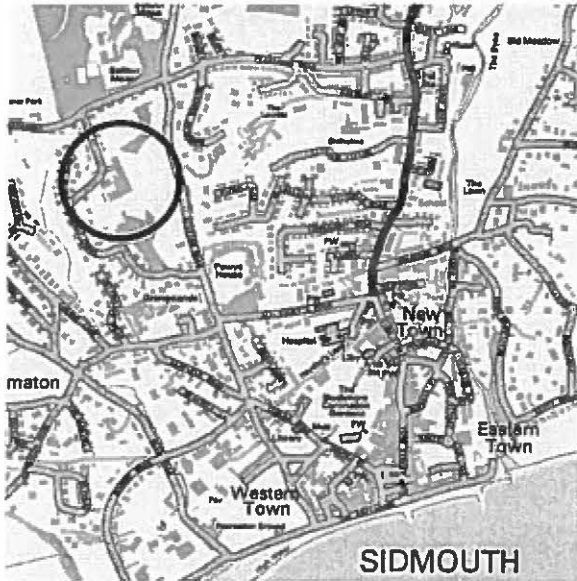
<u>District Ward</u>	<u>Application/Case Number</u> <u>Proposed Development / Site / Applicant</u>	<u>Approximate time</u> <u>of informal visit</u>
Ottery St Mary Rural	10/0302/FUL Erection of dwelling and garage and new access at Pebbles, Bendarroch Road, West Hill for Mr and Mrs Waldron.	9.00 am
Newbridges	10/0038/FUL Erection of garage/store at Stockers, Maidenhayne Lane, Musbury for Mr and Mrs Raison.	9.55 am
	Committee	11.00 am

Members please note:

In order to minimise the number of cars used for the inspection, Members leaving from Knowle are asked to meet at 8.30 am for departure at 8.40 am. If you are unable to attend, would you please inform Hannah Whitfield (01395 517542) and your substitute Committee Member as soon as possible. It is advisable for Members to wear stout shoes.

- 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.

Getting to the Meeting – for the benefit of visitors



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The entrance to the Council Offices is located on Station Road, Sidmouth. **Parking** is limited during normal working hours but normally easily available for evening meetings.

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

From Exmouth, Budleigh, Otterton and Newton Poppleford – 157

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 Exeter – 52A, 52B

From Honiton – 52B

From Seaton – 52A

From Ottery St Mary – 379, 387

Please check your local timetable for times.

The Committee Suite has a separate entrance to the main building, located at the end of the visitor and Councillor car park. The rooms are at ground level and easily accessible; there is also a toilet for disabled users. A hearing loop system is in operation in the Council Chamber.

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 16 April 2010

- Present:** Councillors:
Paul Diviani (Chairman)
Andrew Dinnis (Vice Chairman)
- Mike Green
Iain Chubb
Ray Franklin
Helen Parr
Pauline Stott
- Officers:** Ed Freeman, Principal Planning Officer
Mike Drake, Planning Officer
Chris Lane, Democratic Services Officer
Andrew Seddon, Senior Solicitor
- Ward Member:** Councillor Bob Peachey
- Apologies:** Councillor Geoff Chamberlain

The meeting started at 10.45 am and ended at 11.55 am

***17 Minutes**

The minutes of the meeting of the Planning Inspections Committee held on 19 March 2010 were confirmed and signed as a true record.

***18 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 Principal Planning 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.

Clyst Valley (Bishops Clyst): Application No: 09/1486/M/FUL – Change of use of land, associated works and alterations to access to create a travelling showpersons' site with 9 plots/pitches to the north of Winslade Cottage, Exmouth Road, Clyst St Mary for Messrs Devey, Kefford and Colleagues

RESOLVED: that delegated authority be given to the Head of Planning & Countryside Services in consultation with the Ward Member and Chairman of Development Management Committee to APPROVE the application subject to the applicants entering into a Unilateral Undertaking to provide a public open space, recreation contribution and DCC education contribution provided a suitable justification for the contribution can be obtained from DCC and the following planning conditions:

Application referred to the Planning Inspections Committee

Clyst Valley (Bishops Clyst): Application No: 09/1486/M/FUL – Change of use of land, associated works and alterations to access to create a travelling showpersons' site with 9 plots/pitches to the north of Winslade Cottage, Exmouth Road, Clyst St Mary for Messrs Devey, Kefford and Colleagues

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location plan
IBA[9]-01
Site plan dated 19 January 2010
3597-L-03 A
NTT/429/002 P1
(Reason – For the avoidance of doubt and in the interests of proper planning.)
3. Prior to the commencement of development, a landscape, arboriculture, biodiversity and drainage management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of any works to existing trees to be retained and the future management of any proposed trees and landscaped areas in addition to measures for the preservation and enhancement of biodiversity at the site. The development shall only be carried out in accordance with the approved details.
(Reason – To preserve the landscape setting of the site and to maintain and enhance biodiversity.)
4. Notwithstanding the submitted details, prior to the commencement of development a full landscaping plan shall have been submitted to and approved in writing by the Local Planning Authority; such a scheme to include the planting of trees, hedges, shrubs and areas to be grassed and the size and species of the planting. The scheme shall also give details of any proposed walls, fences and other boundary treatment and shall include a plan at 1:200 scale to clarify the planting proposal for the eastern boundary of the site. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.
(Reason - To preserve and enhance the local landscape character.)

Application referred to the Planning Inspections Committee

Clyst Valley (Bishops Clyst): Application No: 09/1486/M/FUL – Change of use of land, associated works and alterations to access to create a travelling showpersons' site with 9 plots/pitches to the north of Winslade Cottage, Exmouth Road, Clyst St Mary for Messrs Devey, Kefford and Colleagues

5. The development hereby approved shall only be carried out in accordance with chapter 6 of the submitted Ecological Walk-over Survey dated September 2009 which includes the requirement for the production of a working method statement relating to the badger setts which were identified at the site. The method statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site and the development shall be carried out in accordance with the approved details.
(Reason - In the interest of biodiversity.)
6. The two car parking spaces identified on the submitted layout plan IBA[9]-01 shall be provided in accordance with these details and made available for the inhabitants of Winslade Cottage before the site is first occupied and the two spaces shall thereafter remain in situ for the sole use of Winslade Cottage without alteration unless otherwise agreed in writing by the Local Planning Authority.
(Reason – To provide off-road parking facilities in the interests of highway safety.)
7. The site access and visibility splay shall be constructed, laid out and maintained for that purpose in accordance with the attached Diagram NTT/429/002 Revision P1 where the visibility splay provide intervisibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 4.5 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 215 metres in the westerly direction.
(Reason - To provide a satisfactory access to the site with adequate facilities for short parking and to provide adequate visibility from and of emerging vehicles)
8. There shall be no residential occupation of the site until the internal access road identified on layout plan IBA[9]-01 has been laid out and constructed in full accordance with the approved details.
(Reason – To ensure that the vehicles which are expected to occupy the site have adequate provision to turn on-site in the interests of highway safety.)
9. The development hereby approved shall only be carried out in accordance with updated plans J-DO132-003 Rev P3, J0123-004 Rev P1 J-D0132-005 all received on 31 March 2010 and the site shall not be occupied until the engineering works identified on these plans have been completed and the levels are in full accordance with the approved details.
(Reason – To mitigate against the risk of flooding.)

Application referred to the Planning Inspections Committee

Clyst Valley (Bishops Clyst): Application No: 09/1486/M/FUL – Change of use of land, associated works and alterations to access to create a travelling showpersons' site with 9 plots/pitches to the north of Winslade Cottage, Exmouth Road, Clyst St Mary for Messrs Devey, Kefford and Colleagues

10. Prior to the commencement of development full details including the location, height, hours of use and light intensity of any lighting required on the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approved details. No other lighting shall be erected on the site without the prior written consent of the Local Planning Authority.
(Reason – To protect neighbouring residential amenity, ecological interests at the site and to control the potential for light pollution.)
11. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded area should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%; or 25% of the total volume that could be stored at any one time whichever is greater. All filling points, vents gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground where possible and protected from accidental damage. All filling and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
(Reason: To prevent pollution of the water environment.)
12. The development hereby approved is for the creation of 9 plots/pitches for travelling showpeople and the site shall not be subdivided or amended to provide for any additional plots/pitches or extra accommodation without a further grant of planning permission. The occupation of each of the 9 plots/pitches shall be limited to travelling showpeople as defined by paragraph 15 of DCLG Circular 04/2007 and their immediate family members only unless otherwise agreed in writing by the Local Planning Authority.
(Reason – To define the permission and to allow the Local Planning Authority to monitor any increased use of the site.)
13. Only the residential caravans identified on the layout plan dated December 2009 shall be brought onto the site and no units of additional residential accommodation shall be provided unless otherwise agreed in writing by the Local Planning Authority.
(Reason - To define the permission and to allow the Local Planning Authority to monitor any increased use of the site.)
14. Notwithstanding the submitted details the development hereby approved shall only be carried out in full accordance with the Arboricultural Method Statement contained within the submitted Arboricultural Survey dated 19 January 2010 and the provisions of British Standard 5837:2005 (Trees in Relation to Construction).
(Reason – To ensure the preservation of mature trees on the site which contribute to the character and appearance of the area.)

Application referred to the Planning Inspections Committee

Clyst Valley (Bishops Clyst): Application No: 09/1486/M/FUL – Change of use of land, associated works and alterations to access to create a travelling showpersons' site with 9 plots/pitches to the north of Winslade Cottage, Exmouth Road, Clyst St Mary for Messrs Devey, Kefford and Colleagues

15. Prior to the commencement of any works on the site a scaled plan to show the areas to be used for the maintenance of fairground equipment, caravans and any other vehicles shall be submitted to and approved in writing by the Local Planning Authority. The proposed areas shall be distanced from the nearest neighbouring properties on the southern boundary and the repairs and maintenance shall only be carried out within these approved areas unless otherwise agreed in writing by the Local Planning Authority.
(Reason – To protect the amenity of neighbouring residents from excessive noise and disturbance)
16. Notwithstanding the submitted details and prior to the commencement of development full details of the measures proposed to address the disposal of surface water run-off on the site and details of an appropriate foul drainage disposal system shall be submitted to and approved in writing by the Local Planning Authority. Such a system shall be of a suitable capacity to serve the numbers of residents expected to occupy the site and the development shall only be carried out in accordance with the approved details.
(Reason – To avoid pollution of the natural environment and to ensure that adequate facilities are available for future residents)
17. Notwithstanding the submitted details and prior to the commencement of development details of a scheme to show the effective and permanent closure of the existing access shall be submitted to and approved in writing by the Local Planning Authority. The access shall be closed in accordance with these details prior to the first occupation of the site and shall remain as such thereafter.
(Reason – The existing access is substandard and its future retention and use would be prejudicial to highway safety)

Reason for approval

The proposal is considered to be justified as an exception to countryside protection policies owing to the national and regional need for travelling showpeople sites and the lack of any identified alternative locations. The proposal is not considered to have significantly detrimental implications in terms of landscape impact, highway safety, residential amenity, flood risk or local ecology and the application is therefore considered to be in accordance with Circular 04/2007.

Chairman

Date