

Date: 15 June 2011
Contact number: (01395) 517542
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Our Reference: HW/CEH



To: Members of the Planning Inspections Committee:
(Councillors: Geoff Chamberlain, Alan Dent, Anthony Howard,
David Key, Helen Parr, Geoffery Pook, Peter Sullivan, Mark Williamson)

Ward Member:
(Madeleine Chapman, David Chapman, Trevor Cope)

Head of Economy
Development Manager
Senior Solicitor

East Devon District Council
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Devon
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Dear Sir/Madam,

Planning Inspections Committee
Friday 24 June 2011 at 10.30 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.

Please note the **assembly time of 8.50 am** in the Members Area, Knowle, for the visiting Members of the Planning Inspections Committee.

Yours faithfully,

MARK WILLIAMS

Chief Executive

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 15 April 2011 4 - 9
- 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</u>	<u>Approximate time</u> <u>of informal visit</u>
Exmouth Brixington	11/0192/FUL Construction of two storey detached dwelling at 1 Cheriswood Avenue, Exmouth	9.30 am
	Committee	10.30 am

Members please note:

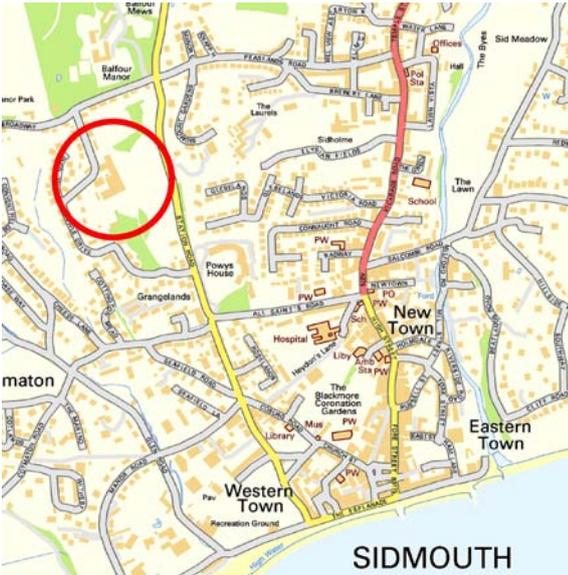
Members are requested to bring their previously circulated copies of the Development Management Committee reports to the meeting.

In order to minimise the number of cars used for the inspection, Members leaving from Knowle are asked to meet at **8.50 am for departure at 9.00 am.**

If you are unable to attend, would you please inform Democratic Services (01395 517546) 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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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

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 Popleford – 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

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Planning Inspections Committee held at the Knowle, Sidmouth on Friday 15 April 2011

- Present: Councillors:
Paul Diviani (Chairman)
David Atkins
Andrew Dinnis
Ray Franklin
Stephanie Jones
David Key
Helen Parr
- Ward members Jill Elson
Pauline Stott
- Officers: Andy Carmichael, Assistant Development Manager
Andrew Seddon, Senior Solicitor
Gareth Stephenson, Planning Officer
Peter Thomas, Planning Officer
Hannah Whitfield, Assistant Democratic Services Officer
- Apologies: Councillors:
Vivien Duval-Steer
Mike Green
Ann Liverton

The meeting started at 11.30 am and ended at 11.53 am.

- *11 Minutes
The minutes of the meeting of the Planning Inspections Committee held on 18 February 2011 were confirmed and signed as a true record.
- *12 Application referred to the Planning Inspections Committee
The Committee considered the application referred to it by the Development Management Committee.
a) Raleigh: Application No: 11/0075/FUL – Construction of a detached dwelling at Otterton Public Conveniences, Ottery Street, Otterton for EDDC Estates Department

RESOLVED: that the application be APPROVED subject to the following conditions:

Conditions

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 approved shall be built in strict accordance with the recommendations of the submitted Flood Risk Assessment conducted by Clarkebond and dated September 2010 and further details contained within their email dated 02 March 2011.
(Reason - To ensure the proposal does not result in a possible flood risk, in accordance with Planning Policy Statement 25.)

Application referred to the Planning Inspections Committee (cont'd)

a) Raleigh: Application No: 11/0075/FUL – Construction of a detached dwelling at Otterton Public Conveniences, Ottery Street, Otterton for EDDC Estates Department

3. Notwithstanding the submitted details the fenestration joinery shall be painted timber, with casements that are flush fitting and glazing bars no greater than 22mm in width, and retained as such in perpetuity. (Reason - To conserve and enhance the designated conservation area, in accordance with PPS5, policy CO7 of the Devon Structure Plan and Policies D1 (Design and local Distinctiveness) and EN11 of the adopted East Devon Local Plan.
4. The rainwater goods shall be constructed of extruded metal or cast iron, and painted. (Reason - To conserve and enhance the designated conservation area, in accordance with PPS5, policy CO7 of the Devon Structure Plan and Policies D1 (Design and local Distinctiveness) and EN11 of the adopted East Devon Local Plan.
5. Prior to the commencement of any development above slab level, a 1 -2 square metre sample panel of boundary walling to be used shall be constructed on site for inspection by an officer of the Local Planning Authority. The boundary wall to the front of the dwelling shall be constructed of either local red sandstone or Chert bound with a suitable lime mortar. Any such sample provided shall be agreed in writing with the Authority and any variations as to coursing, pointing lime mortar mix and/or material finish to be used. All walling as may be agreed, shall be completed prior to the beneficial use of the building to which the application relates.
(Reason - To conserve and enhance the designated conservation area, in accordance with PPS5, policy CO7 (Historic Buildings and Settlements) of the Devon Structure Plan and Policies D1 (Design and local Distinctiveness) and EN11 (Preservation and Enhancement of Conservation Areas) of the adopted East Devon Local Plan.)
6. Notwithstanding the provisions of the Town and County 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, C, D E and F for the enlargement, improvement or other alterations to the dwelling hereby permitted, other than for works that do not materially affect the external appearance of the buildings shall be undertaken.
(Reason - In the interest of preserving and enhancing the designated conservation area, reduce the potential for future development to impact on flood risk and control development that may lead to an impact on the amenity of the occupiers in the adjoining properties. This is in accordance with Planning Policy Statement 5: Planning for the Historic Environment, Planning Policy Statement 25: Development and Flood Risk, Devon Structure Plan Policies CO7 (Historic Building and Settlements), and East Devon Local Plan Policies D1 (Design and local Distinctiveness) and EN11 (Preservation and Enhancement of Conservation Areas).
7. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt and in the interests of proper planning.)

a) Raleigh: Application No: 11/0075/FUL – Construction of a detached dwelling at Otterton Public Conveniences, Ottery Street, Otterton for EDDC Estates Department

8. Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To conserve and enhance the designated conservation area, in accordance with PPS5, policy CO7 (Historic Buildings and Settlements) of the Devon Structure Plan and Policies D1 (Design and local Distinctiveness) and EN11 (Preservation and Enhancement of Conservation Areas) of the adopted East Devon Local Plan.)
9. Prior to the occupation of the dwelling hereby permitted, the four first floor windows on the rear elevation shall be fitted with obscured glass that shall thereafter be retained in perpetuity'.
Reason: in the interests of the privacy of the adjacent residential occupiers in accordance with policy D1 (Design and local Distinctiveness) of the East Devon Local Plan.

Reasons for approval

1. The proposal complies with the following Devon Structure Plan 2001-2016 Policies and the adopted East Devon Local Plan 1995-2011 Policies:

Devon Structure Plan Policies

CO6 (Quality of New Development)
CO7 (Historic Settlements and Buildings)
CO3 (Areas of Outstanding Natural Beauty)
ST1 (Sustainable Development)

East Devon Local Plan Policies

D1 (Design and Local Distinctiveness)
EN1 (Developments Affecting Areas of Outstanding Natural Beauty)
S4 (Development Within Built-up Area Boundaries)
EN11 (Preservation and Enhancement of Conservation Areas)
TA7 (Adequacy of Road Network and Site Access)
TA9 (Parking Provision in New Development)
RE3 - (Open Space Provision in New Housing)

2. The proposal does not adversely affect the privacy or amenity of neighbouring properties.
3. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.
4. The proposal does not harm the character and appearance of the conservation area.
5. The proposal does not harm the setting of a listed building within close proximity to the site.
6. The proposal does not cause a significant flood risk.
7. The access to serve the proposal does not prejudice highway safety.

- b) Exmouth Halsdon: Application No: 10/2438/FUL – Construction of a detached dwelling and double garage with alterations to access at 236 Exeter Road, Exmouth for Mr P Sauders

RESOLVED: that the application be APPROVED subject to the following conditions:

Conditions

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 permission hereby granted relates to the submitted application as amended by the details shown on the revised drawing nos. 10-132/SPA, 10-132/GA, 10-132-1 A and 10-132-2 A received by East Devon District Council on 4th February 2011 insofar as they relate to the revised siting, orientation, height and design of the development hereby permitted.
(Reason - To define the permission, and in the interests of the character and appearance of the development and surrounding area and the privacy and amenities of the occupiers of neighbouring residential properties and to comply with the provisions of Policy CO6 (Quality of New Development) of the Devon Structure Plan 2001-2016 and Policies S4 (Development Within Built-up Area Boundaries) and D1 (Design and Local Distinctiveness) of the East Devon Local Plan 1995-2011.)
3. Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be 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 materials are sympathetic to the character and appearance of the area in accordance with Policy CO6 (Quality of New Development) of the Devon Structure Plan and Policies D1 (Design and Local Distinctiveness) of the East Devon Local Plan.)
4. Prior to the first occupation of the dwelling hereby approved, visibility splays shall be provided, laid out and thereafter maintained for that purpose at the site access where the visibility splays 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 shall be 2.4 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 43 metres in a northerly direction and 43 metres in a southerly direction when measured at 1.4 metres out from the nearside kerb towards the centre line of the carriageway.
(Reason - To provide adequate visibility from and of emerging vehicles and to comply with the provisions of Policy TR10 (Strategic Road Network) of the Devon Structure Plan 2001-2016 and Policy TA7 (Adequacy of Road Network and Site Access) of the East Devon Local Plan 1995-2011.)

Application referred to the Planning Inspections Committee (cont'd)

b) Exmouth Halsdon: Application No: 10/2438/FUL – Construction of a detached dwelling and double garage with alterations to access at 236 Exeter Road, Exmouth for Mr P Sauders

5. Prior to the first occupation of the dwelling hereby approved, provision shall be made within the site for the disposal of surface water so that none drains onto the adjacent County Highway in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority.
(Reason - In the interests of public safety and to prevent damage to the highway and to comply with the provisions of Policy TR10 (Strategic Road Network) of the Devon Structure Plan 2001-2016 and Policy TA7 (Adequacy of Road Network and Site Access) of the East Devon Local Plan 1995-2011.)
6. 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 development of the types described in Classes A, B or C of Part 1 of Schedule 2 to the Order, for the enlargement, improvement or other alteration to the dwelling house or any enlargement consisting of an addition or alteration to its roof, shall be carried out without a grant of express planning permission from the Local Planning Authority.
(Reason - To enable the Local Planning Authority to retain control over operations that would not ordinarily require a grant of planning permission in the interests of preventing overdevelopment of the site, to safeguard the privacy and amenities of the occupiers of neighbouring residential properties and to comply with the provisions of Policy CO6 (Quality of New Development) of the Devon Structure Plan 2001-2016 and Policies S4 (Development Within Built-up Area Boundaries) and D1 (Design and Local Distinctiveness) of the East Devon Local Plan 1995-2011.)
7. The development shall not commence until details of the surface water drainage has been submitted to and approved in writing by the LPA. The details to be submitted shall include rain water harvesting and should be based on sustainable urban drainage techniques. The development shall be carried out in accordance with the approved details.
Reason: to ensure a suitable drainage system is provided which disposes of rain water in a sustainable manner without impacting on neighbouring properties in accordance with the advice in PPS25.

Reasons for approval

1. The proposal complies with the following Devon Structure Plan 2001-2016 Policies and the adopted East Devon Local Plan 1995-2011 Policies:

Devon Structure Plan Policies

ST1 (Sustainable Development)
ST3 (Self Sufficiency of Devons Communities)
ST5 (Development Priority 2001 to 2016)
ST15 (Area Centres)
CO6 (Quality of New Development)
TR2 (Co-ordinating Land Use/Travel Planning)
TR10 (Strategic Road Network)

Application referred to the Planning Inspections Committee (cont'd)

- b) Exmouth Halsdon: Application No: 10/2438/FUL – Construction of a detached dwelling and double garage with alterations to access at 236 Exeter Road, Exmouth for Mr P Sauders

East Devon Local Plan Policies

S2 (Built-up Area Boundaries for Area Centres and Local Centres)

S4 (Development Within Built-up Area Boundaries)

D1 (Design and Local Distinctiveness)

RE3 (Open Space Provision in New Housing Developments)

TA1 (Accessibility of New Development)

TA7 (Adequacy of Road Network and Site Access)

2. The proposal does not adversely affect the privacy or amenity of neighbouring properties.
3. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.
4. The proposal is contained within the defined built-up area boundary of the settlement.
5. The proposal makes adequate provision for the disposal of foul/surface water in the interest of flood/pollution prevention.
6. The access to serve the proposal does not prejudice highway safety.
7. The density of the development is at the highest level possible compatible with the area.

This planning permission is accompanied by the Unilateral Undertaking dated 30th November 2010 relating to the payment of an open space contribution.

Chairman Date