

Date: 22 September 2010
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Our Reference: CEH



To: Members of the Planning Inspections Committee:
(Councillors: Geoff Chamberlain, Andrew Dinnis,
Paul Diviani, Ray Franklin, Mike Green, Stephanie Jones,
David Key, Helen Parr)

Ward Member:
(Philip Skinner)

Head of Planning and Countryside Services
Development Manager
Senior Solicitor

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Dear Sir/Madam,

**Planning Inspections Committee
Friday 1 October 2010**

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 8.50 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 14 May 2010
- 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:

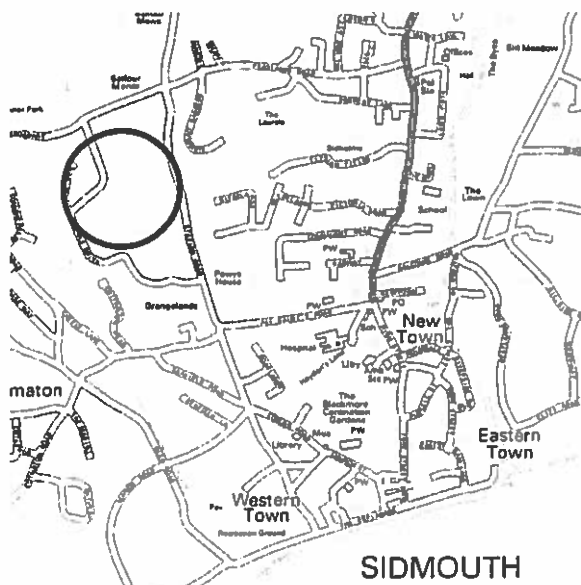
<u>District Ward</u>	<u>Application/Case Number</u> <u>Proposed Development / Site / Applicant</u>	<u>Approximate time</u> <u>of informal visit</u>
Tale Vale	10/0948/FUL (Shed 5) 10/0951/FUL (Shed 2) 10/0952/FUL (Shed 6) Erection of free range chicken houses at James Barn, Kerswell, Cullompton for Mr M Cottrell and Miss M Andrews	9.40 am
	Committee	11.15 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 8.50 am for departure at 9.00 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 14 May 2010

- Present:** Councillors:
Paul Diviani (Chairman)
Andrew Dinnis (Vice Chairman)
- David Atkins
Geoff Chamberlain
Iain Chubb
Ray Franklin
Helen Parr
Pauline Stott
- Officers:** Andy Carmichael, Principal Planning Officer
Hannah Whitfield, Assistant Democratic Services Officer
- Ward Member:** Councillor Ray Bloxham
- Apologies:** Councillor Mike Green
Andrew Seddon

The meeting started at 11.00 am and ended at 11.36 am

*19 **Minutes**

The minutes of the meeting of the Planning Inspections Committee held on 16 April 2010 were confirmed and signed as a true record.

*20 **Applications referred to the Planning Inspections Committee**

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

The following decisions were 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) Ottery St Mary Rural Application No: 10/0302/FUL – Erection of dwelling and garage and new access at Pebbles, Bendarroch, West Hill for Mr and Mrs Waldron

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).

Applications referred to the Planning Inspections Committee

a) Ottery St Mary Rural Application No: 10/0302/FUL – Erection of dwelling and garage and new access at Pebbles, Bendarroch, West Hill for Mr and Mrs Waldron continued...

2. 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.)

3. Before any development commences details of finished floor levels and finished ground levels in relation to a fixed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reasons - To ensure that adequate details of levels are available in the interests of the character and appearance of the locality and the amenity of adjoining occupiers.)

4. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme to include:
 - Details of the fencing along the eastern boundary of the site and drive
 - Details of the landscaping proposed to either side of the driveway
 - Details of any other proposed tree or shrub planting and areas to be grassed.
 - Details of finished surfacing materials for the driveway
 - Details of any fencing or boundary treatment forward of the existing dwelling.The scheme shall also give details of any other proposed walls, fences and other boundary treatment. 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 - In the interests of amenity and to preserve and enhance the character and appearance of the area.)

5. Notwithstanding the submitted layout as indicated on drawing no. 191/1 Rev B, date stamped 15th February 2010, no development shall take place until details of the alterations to the garage on the eastern elevation of the existing dwelling (known as 'Pebbles'), to enable an enlarged landscaping strip adjacent to the drive, has been submitted to and agreed in writing by the Local Planning Authority. Development shall proceed in accordance with any details as may be agreed.
(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area.)

Applications referred to the Planning Inspections Committee

a) Ottery St Mary Rural Application No: 10/0302/FUL – Erection of dwelling and garage and new access at Pebbles, Bendarroch, West Hill for Mr and Mrs Waldron continued...

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) no further windows/rooflights or other openings shall be inserted at first floor level or above in either the south, east or west elevations of the dwelling hereby approved, unless previously agreed in writing with the Local Planning Authority.
(Reason – In the interests of protecting the amenity of neighbouring occupiers.)

Members resolved to approve the application contrary to officer recommendation.

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)

East Devon Local Plan Policies

D1 (Design and Local Distinctiveness)

S4 (Development Within Built-up Area Boundaries)

D5 (Trees on Development Sites)

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 access to serve the proposal does not prejudice highway safety.

Applications referred to the Planning Inspections Committee

b) Newbridges Application No: 10/0038/FUL – Erection of garage/store at Stockers, Maidenhayne Lane, Musbury for Mr and Mrs Raison

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

Conditions

1. The development hereby 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. 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. Developments 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).
3. Notwithstanding the submitted details the external walls of the building hereby approved shall be constructed from natural chert stone and no other material shall be used without the consent of the Local Planning Authority.
(Reason – To ensure the new building fits in with the prevailing building pattern and does not adversely affect the setting and appearance of the adjacent listed building).
4. Prior to the commencement of development, a 3-5 square metre sample panel of the stone walling to be used shall be constructed on site for inspection by an officer of the Local Planning Authority. Any such sample provided shall be agreed in writing with the Authority and any variations as to coursing, pointing and the type of stone to be used. All stone walling as may be agreed, shall be completed prior to the beneficial use of the building to which the application relates.
(Reason – In the interests of the appearance and character of the area and the setting and appearance of the adjacent Listed Building).

Members resolved to approve the application contrary to officer recommendation.

Applications referred to the Planning Inspections Committee

b) Newbridges Application No: 10/0038/FUL – Erection of garage/store at Stockers, Maidenhayne Lane, Musbury for Mr and Mrs Raison

Reason for approval

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

Devon Structure Plan Policies
CO3 (Areas of Outstanding Natural Beauty)
CO6 (Quality of New Development)
CO7 (Historic Settlements and Buildings)

East Devon Local Plan Policies
S5 (Countryside Protection)
D1 (Design and Local Distinctiveness)
EN1 (Developments Affecting Areas of Outstanding Natural Beauty)
EN9 (Extension, Alteration or Change of use of Buildings of Special Architectural and Historic Interest)

2. With stone walling the proposed garage would fit in with the pattern of buildings close to the lane and would not adversely affect the setting of the adjacent listed building.
3. The proposal does not adversely affect the privacy or amenity of neighbouring properties.
4. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.
5. The proposal does not harm the natural beauty of the landscape designated as an Area of Outstanding Natural Beauty.

Chairman

Date