

Date: 5 March 2014
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Our Reference: SL



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

Ward Member (not on Committee):
(Councillors: Sheila Kerridge and Frances Newth)

Deputy Chief Executive – Richard Cohen
Development Manager
Principal Solicitor

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Planning Inspections Committee
Friday 14 March 2014
9.45 am
Committee Room, Knowle, Sidmouth

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 8.45 am** (departure 8.55 am) in the Members Area, Knowle, for the visiting Members of the Planning Inspections Committee. It is advisable for Members to wear stout shoes.

Public speaking arrangements

Members of the public are welcome to attend and speak on planning applications at this meeting. If you wish to speak on a particular application, simply enter your name on the sheets located near the entrance to the Council Chamber, in the corresponding section which indicates whether you are a supporter or objector. Please note that there is no requirement or facility to record the details of the speaker before the day of the meeting.

- The relevant Officer will introduce and outline the application 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.

Should anyone have any special needs or require any reasonable adjustments to assist them in making individual contributions, please contact Stephanie Lewis (contact details at the top of the first page of the agenda).

Councillors and members of the public are reminded to switch mobile phones to silent during the meeting. If this is not practical due to particular circumstances, please advise the Chairman in advance of the meeting.

AGENDA

Page/s

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| 1 | To confirm the minutes of the meeting of the Planning Inspection Committee held on 14 February 2014. | 4- 6 |
| 2 | To receive any apologies for absence. | |
| 3 | To receive any declarations of interests relating to items on the agenda. | |
| 4 | 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).

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| 5 | 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. | |
| 6 | 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 Number/ Proposed Development / Site Location</u>	<u>Approximate time of informal visit</u>
Sidmouth Town	13/1688/FUL Construction of new dwelling on land adjacent to 4 Cheese Lane, Sidmouth EX10 8QY	9:00am
	Committee	9:45am

Members please note:

- Members are requested to bring their previously circulated copies of the **Development Management Committee reports to the meeting.**
- If you are unable to attend, would you please inform Democratic Services (01395 517546) as soon as possible.
- You must declare the nature of any disclosable pecuniary interests. [Under the Localism Act 2011, this means the interests of your spouse, or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living as if you are civil partners]. You must also disclose any personal interest.
- You must disclose your interest in an item whenever it becomes apparent that you have an interest in the business being considered.
- Make sure you say what your interest is as this has to be included in the minutes. [For example, 'I have a disclosable pecuniary interest because this planning application is made by my husband's employer'.]
- If your interest is a disclosable pecuniary interest you cannot participate in the discussion, cannot vote and must leave the room unless you have obtained a dispensation from the Council's Monitoring Officer or Standards Committee.

Decision making and equality duties

The Council will give due regard under the Equality Act 2010 to the equality impact of its decisions.

An appropriate level of analysis of equality issues, assessment of equalities impact and any mitigation and/or monitoring of impact will be addressed in committee reports.

Consultation on major policy changes will take place in line with any legal requirements and with what is appropriate and fair for the decisions being taken.

Where there is a high or medium equalities impact Members will be expected to give reasons for decisions which demonstrate they have addressed equality issues.

Getting to the Meeting – for the benefit of visitors



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.

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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.

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 Knowle, Sidmouth on Friday 14 February 2014

Present: Councillors:
Helen Parr (Chair)
David Key (Vice Chairman)

Tony Howard
Peter Sullivan
Mark Williamson
Martin Gammell

Officers: Rachel Pocock, Corporate Legal & Democratic Services Manager
Ed Freeman, Development Manager
Stephanie Lewis, Assistant Democratic Services Officer

Apologies Councillors:
Geoff Chamberlain
Alan Dent
Geoff Pook
David Atkins

The meeting started at 11.05am and ended at 12.03pm.

***20 Minutes**

The minutes of the meeting of the Planning Inspections Committee held on 29 November 2013 were confirmed and signed as a true record.

***21 Declaration of Interests**

Councillor/ Officer	Application Ref. / Minute number	Type of interest	Nature of interest
Cllr Mark Williamson	13/0579/MFUL	Personal Interest (remained in the Chamber for the debate and vote)	Exmouth Town Councillor

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

The Committee considered the application referred to it by the Development Management Committee.

Exmouth Brixington: Application No: 12/0579/FUL – Demolition of existing church building and single storey ancillary accommodation to rear. Erection of new church and 2 storey ancillary accommodation, construction of new vehicular access off Churchill Road and car park in front of new main entrance, and landscaping and remodelling of surrounding site at Brixington Community Church, Churchill Road, Exmouth EX8 4JJ.

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

RESOLVED: APPROVED subject to 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 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.)
3. No part of the development hereby approved shall be brought into its intended use until the new access, parking facilities, turning area and access drainage have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times
(Reason: To ensure that adequate facilities are available for the traffic attracted to the site in accordance with Policy TA7 (Adequacy of Road Network and Site Access) of the East Devon Local Plan.)
4. The landscaping scheme hereby approved 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 in accordance with Policies D1 (Design and Local Distinctiveness) and D4 (Landscape Requirements) of the East Devon Local Plan.)
5. 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 D1 (Design and Local Distinctiveness) of the East Devon Local Plan.)
6. The premises shall be used as a church and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
(Reason - In accordance with the application details and to protect adjoining occupiers from unacceptable levels of noise and disturbance in accordance with the requirements of Policy EN15 (Control of Pollution) of the East Devon Local Plan.)

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

7. No deliveries of materials by lorry to the site shall take place outside the hours 0800 to 1800 Monday to Friday and 0800 - 1300 Saturday and not at all on Sundays or public holidays.
(Reason - In order to protect the amenity of nearby residents in accordance with Policy EN15 (Control of Pollution) of the East Devon Local Plan.)

8. A Construction and Environment Management Plan must be submitted and approved by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters: Air Quality, Dust, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements. Construction and demolition working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site.

(Reason - To protect the amenities of nearby residents in the vicinity of the site from noise, air, and light pollution in accordance with Policies D1 (Design and Local Distinctiveness) and EN15 (Control of Pollution) of the East Devon Local Plan.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 in determining this application, East Devon District Council has worked positively with the applicant in the following ways to ensure that all relevant planning concerns have been appropriately resolved:

The applicant is advised that the County Council has received an application for a claimed Right of Way across the site from Churchill Road to Ellwood Road, following the route of the steps from the former and across the car park to the latter.

Chairman Date