

Date: 18 October 2013  
Contact number: (01395) 517543  
E-mail: [hwhitfield@eastdevon.gov.uk](mailto:hwhitfield@eastdevon.gov.uk)  
Our Reference: HW



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 Members (not on Committee):  
(Councillors: John Humphreys, Tim wood)

Deputy Chief Executive – Richard Cohen  
Development Manager  
Planning Officer  
Principal Solicitor

East Devon District Council  
Knowle  
Sidmouth  
Devon  
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551  
Fax: 01395 517507

[www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)

**Planning Inspections Committee**  
**Thursday 31 October 2013**  
**3:00pm**  
**Council Chamber, Exmouth Town Council**

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 1.30 pm** outside the entrance to **Exmouth Town Council Offices**, for the visiting Members of the Planning Inspections Committee. It is advisable for Members to wear stout shoes.

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 4 October 2013. 4-7

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).

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>
Exmouth Littleham	<a href="#">13/1441/MFUL</a>  Demolition of existing dwelling and construction of 14 no apartments within two blocks, laying out of parking area and provision of bin and cycle stores at 34 Cranford Avenue, Exmouth	1.45pm
	<b>Committee</b>	3.00pm

### 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. It is advisable for Members to wear stout shoes.
- 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**



Exmouth Town Hall is located on St Andrews Road, Exmouth. Parking is limited during normal working hours, operated under a pay and display scheme.

**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 4**  
**October 2013**

**Present:** Councillors:  
Helen Parr (Chair)  
David Key (Vice Chairman)  
Alan Dent  
Mark Williamson  
Peter Sullivan  
David Atkins

**Ward Members:** Councillors:  
(not on Committee) David Cox  
Roger Giles

**Officers:** Ed Freeman, Development Manager  
Henry Gordon Lennox, Principal Solicitor  
Stephanie Lewis, Assistant Democratic Services Officer

**Apologies** Councillors:  
Geoff Chamberlain  
Geoff Pook  
Martin Gammell  
Ben Ingham  
Frances Newth

The meeting started at 11:15 am and ended at 12:45 pm.

**\*8 Minutes**

The minutes of the meeting of the Planning Inspections Committee held on 30 August 2013 were confirmed and signed as a true record.

**\*9 Declaration of Interests**

There were none.

**\*10 Applications referred to the Planning Inspections Committee**

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

Ottery St Mary Town: Application No: 13/0875/FUL – single storey extension incorporating lavatory facilities and storage space at St Marys Church, North Street, Ottery St Mary

**RESOLVED:** APPROVED contrary to officers recommendation with delegated authority to the Development Manager to impose appropriate conditions.

**RESOLVED:** APPROVED with conditions as per recommendation

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. The development shall be carried out in accordance with the Method Statement and Tree Protection Plan (drawing number 03667 TPP 05.06.2013) prepared by Aspect Tree Consultancy (reference 03667 AIA 17.1.13), or any such tree protection measures as may be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out strictly in accordance with the approved details.

In any event, the following restrictions shall be strictly observed:

- (a) No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.
- (b) No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall be in accordance with the advice given in Volume 4: National Joint Utilities Group (NJUG) Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) 2007.
- (c) No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority.

(Reason - To ensure retention and protection of trees on the site in the interests of the character and appearance of the area in accordance with policies D1 (Design and Local Distinctiveness), D5 (Trees on Development Sites) and EN11 (Preservation and Enhancement of Conservation Areas) of the East Devon Local Plan.)

4. 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, including a sample of any rainwater goods and a sample of the finished colour of the windows and doors, 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 materials are sympathetic to the character and appearance of the conservation area in accordance with policies D1 (Design and Local Distinctiveness) and EN11 (Preservation and Enhancement of Conservation Areas) of the East Devon Local Plan.)
5. No development shall take place until typical detailed drawings at a scale of not less than 1:20 showing the roof and eaves construction and the method of fixing and joining

the surface material have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

(Reason - To secure a high quality finish in the interests of the character and appearance of the conservation area in accordance with policies D1 (Design and Local Distinctiveness) and EN11 (Preservation and Enhancement of Conservation Areas) of the East Devon Local Plan.)

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification) no windows, doors or other openings shall be formed in the south east and north elevations of the dwelling hereby permitted.  
(Reason - To protect the privacy of adjoining occupiers in accordance with policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan.)
7. No part of any roof of the dwelling hereby permitted, other than the balcony indicated on the approved drawings, shall be used as a balcony, roof garden or similar amenity area without the prior express consent of the Local Planning Authority.  
(Reason - To protect the privacy of adjoining occupiers in accordance with policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan.)
8. Notwithstanding the provisions of the Schedule Part 1 Classes A, C, D, E and F of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), the dwelling hereby permitted shall not be enlarged, extended or altered and no sheds, other ancillary buildings or swimming or other pools shall be provided within the curtilage of the dwelling without the prior express consent of the Local Planning Authority.  
(Reason - To preserve the architectural integrity of the building and the character and appearance of the conservation area in accordance with policies D1 (Design and Local Distinctiveness) and EN11 (Preservation and Enhancement of Conservation Areas) of the East Devon Local Plan.)
9. The solar thermal and PV panels indicated on the roof plan hereby approved shall not be installed on the roof of the dwelling until details, including elevation drawings to a scale of not less than 1:100, have been submitted to and approved in writing by the Local Planning Authority. The panels shall be installed in accordance with the approved details.  
(Reason - In the interests of the character and appearance of the conservation area in accordance with policies D1 (Design and Local Distinctiveness) and EN11 (Preservation and Enhancement of Conservation Areas) of the East Devon Local Plan.)
10. No trees or hedges which are shown as being retained on the plans hereby approved, including the retained section of hedge on the boundary of the site with the road serving Sidmount Gardens, shall be removed unless a landscaping scheme giving details of replacement planting has first been submitted to and approved in writing by the Local Planning Authority. 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 the character and appearance of the area in accordance with policies D4 (Landscape Requirements), D5 (Trees on Development Sites) and EN11 (Preservation and Enhancement of Conservation Areas) of the East Devon Local Plan.)

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 East Devon District Council works proactively with applicants to resolve all relevant planning concerns, however in this case the application was deemed acceptable as submitted.

Informative:

This decision shall be read in conjunction with the unilateral undertaking dated 31 May 2013.

Approved Plans

T1 - TITLE SHEET	Other Plans	06.06.13
T2 - CONTEXT PLAN	Location Plan	06.06.13
S1	Survey Drawing	06.06.13
A1	Proposed Site Plan	06.06.13
A2	Proposed roof plans	06.06.13
A3	Proposed Floor Plans	06.06.13
A4	Proposed Floor Plans	06.06.13
A5	Sections	06.06.13
A6	Proposed Elevation	06.06.13
A7	Proposed Elevation	06.06.13
03667 TPP 05.06.2013	Landscaping	06.06.13

Chairman ..... Date .....