

Date: 11 December 2013
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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):
(Councillor Paul Diviani)

Deputy Chief Executive – Richard Cohen
Development Manager
Principal Solicitor

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Planning Inspections Committee

Friday 20 December 2013

11am

Council Chamber, 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 8.50 am** (departure 9 am) in the Members Area, Knowle, for the visiting Members of the Planning Inspections Committee. It is advisable for Members to wear stout shoes.

This meeting is being recorded for subsequent publication on the Council's website. Audio recording is permitted by press representatives and members of the public from the public area, subject to their notification to the Chairman prior to the start of the meeting of a wish to record all or part of that meeting.

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. If you do not wish to be recorded, please tick the appropriate box on the speaker sheet and the Chairman will instruct those taking a recording to cease while you speak. 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 |
|---|--|---------------|
| 1 | To confirm the minutes of the meeting of the Planning Inspection Committee held on 29 November 2013. | 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). | |
| 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> |
|----------------------|---|---|
| Yarty | 13/0490/FUL Construction of new dwelling with associated car parking and garden area at Peartree Cottage, Chardstock, Axminster EX13 7BN | 9:40am |
| | Committee | 11:00 am |

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 Exmouth Town Council Offices on
Friday 29 November 2013

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

David Atkins
Alan Dent
Geoff Pook
Peter Sullivan
Mark Williamson

Ward Members: Councillors
(not on Committee) Vivien Duvall Steer
Jill Elson
Pauline Stott

Officers: Henry Gordon Lennox, Principal Solicitor
Nigel Barrett, Principal Planning Officer
Alethea Thompson, Democratic Services Officer

Apologies Councillor:
Geoff Chamberlain

Exmouth Town Councillor Nelson

The meeting started at 10.30am and ended at 11.40am.

***14 Minutes**

The minutes of the meeting of the Planning Inspections Committee held on 31 October 2013 were confirmed and signed as a true record.

***15 Declaration of Interests**

There were none.

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

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

Exmouth Halsdon: Application No: 13/1909/FUL – change of use from car sales to retail (Use Class A1) including alterations and extensions to existing building at 190B Exeter Road, Exmouth.

RESOLVED: APPROVED subject to conditions:

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

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. Any plant (including ventilation, refrigeration and air conditioning units) or ducting system to be used in pursuance of this permission shall be installed and operated so that the noise generated at the boundary of the nearest neighbouring property shall not exceed Noise Rating Curve 25, as defined in BS8233:1999 Sound Insulation and Noise Reduction for Buildings Code of Practice and the Chartered Institute of Building Service Engineers Environmental Design Guide 1999. Details of the scheme to demonstrate the above shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development and the plant shall be installed in accordance with the approved details prior to the use of the premises hereby permitted and shall thereafter be operated and maintained in accordance with the approved scheme.
(Reason: To protect the amenity of local residents from low frequency noise in accordance with policy EN15 (control of Pollution) and the Provisions of the National planning policy Framework).
4. Prior to first occupation of the site a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority and this shall be designed to minimise upwards and lateral light overspill, sky glow, glare and reflection off horizontal surfaces. If necessary shielding shall be incorporated into all light units. No other lighting including security lighting fixed to the building shall be erected without the prior written consent of the Local Planning Authority.
(Reason - To ensure that the amount of lighting is appropriate for the character and appearance of the surrounding area and in respect of the potential impact on residential amenity in accordance with policy D1 (Design and Local Distinctiveness) of the Adopted East Devon Local Plan.)
5. The site access shall be constructed, laid out and maintained thereafter in accordance with the details on drawing number 13- XXX -100.
(Reason - to provide a satisfactory access to the site and to protect the pedestrian priority on the footway. in accordance with policy TA7 (Adequacy of Road Network and Site access) of the adopted East Devon Local Plan.
6. No part of the development hereby approved shall be brought into its intended use until the accesses, parking facilities, commercial vehicle loading/unloading are 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.

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

7. No deliveries shall be taken or dispatched from the site except between the hours of 7.00 am and 9.00 pm other than those delivering newspapers.
(Reason - In the interests of the amenity of the area in accordance with policy EN15 (Control of pollution) of the adopted East Devon Local Plan.

8. The premises shall only be open between the hours of 7.00 am and 11pm on any given day.
(Reason - In the interests of neighbouring amenity in accordance with policy EN15 (Control of pollution of the East Devon Local Plan).

9. No development shall take place until a scheme for landscaping between the development hereby permitted and the eastern boundary of the site has been submitted to and approved in writing by the Local Planning Authority; such a scheme to include the planting of trees, hedges, shrubs, herbaceous plants and areas to be grassed. The scheme shall also give details of any 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. Any walls, fences or other non-planted boundary treatment shall be retained in perpetuity 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 and to provide sound attenuation in the interests of protecting the amenities of local residents from low frequency noise from ventilation, refrigeration and air conditioning plant in accordance with Policies D1 (Design and Local Distinctiveness), D4 (Landscape Requirements) and EN15 (Control of Pollution) of the East Devon Local Plan.)

Chairman Date