

Date: 8 April 2009
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Our Reference: HJ



To:

Members of the Planning Inspections Committee:
(Councillors: Geoff Chamberlain, Iain Chubb, Andrew Dinnis,
Ray Franklin, Ken George, Helen Parr, Tony Reed,
Mark Williamson)

Ward Members:
(Councillors: Vivien Duval-Steer, Jill Elson, Christopher Gibbings,
Graham Liverton, Frances Newth, Pauline Stott).

Kate Little - Head of Planning and Countryside Services
Stephen Belli - Development Control Manager
Andrew Seddon - Senior Solicitor

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Dear Sir/Madam,

**Planning Inspections Committee
Friday 17 April at 4.00 pm**

The above Committee meeting will be held in the Council Chamber, Knowle, Sidmouth to consider the matters 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 Control Committee reports to the meeting. Please note the **assembly time of 1.50 pm** in the Members Area, Knowle, for the visiting Members of the Planning Inspections Committee.

Yours faithfully

MARK WILLIAMS

Chief Executive

AGENDA

Part A

Page/s

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| 1 | To confirm the minutes of the meeting of the Planning Inspection Committee held on 20 March 2009. | |
| 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 applications which the permanent, including substitute, Members of the Planning Inspections Committee have informally inspected during the day:

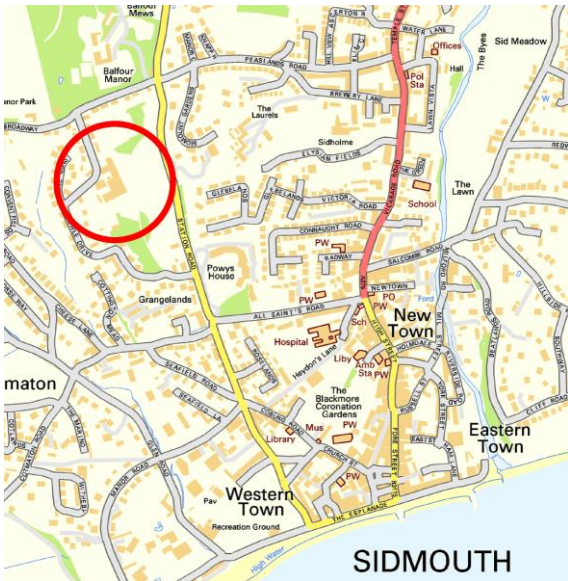
<u>District Ward</u>	<u>Application/Case Number Proposed Development / Site / Applicant</u>	<u>Approximate time of informal visit</u>
Exmouth Halsdon	08/3113/FUL Construction of a detached dwelling at 186 Exeter Road, Exmouth for Mr A Walsh.	2.30 pm
Sidmouth Town	08/2141/OUT Proposed demolition of existing single storey classrooms and erection of pair of semi-detached 2 bed houses at Heydons Hall, Heydons Lane, Sidmouth for Mrs J Dumenil.	3.20 pm
	Committee	4.00 pm

Members please note:

In order to minimise the number of cars used for the inspection, Members leaving from Knowle are asked to meet at **1.50 pm for departure at 2.00 pm** If you are unable to attend, would you please inform Hannah Jarvis (01395 517542) and your substitute Committee Member as soon as possible. It is advisable for Members to wear stout shoes.

- You must declare any personal or prejudicial interests in an item whenever it becomes apparent that you have an interest in the business being considered.
- 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



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 – 340 (Railway Station), 387 (Town Centre)

From Seaton – 52A, 899

From Ottery St Mary – 382, 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 20 March 2009

Present:

Councillors:

Tony Reed (Chairman)
Helen Parr (Vice Chairman)

Geoff Chamberlain
Iain Chubb
Andrew Dinnis
Ray Franklin
Ken George
Mark Williamson

Officers:

Stephen Belli, Development Manager
Hannah Jarvis, Democratic Services Support Officer
Andrew Seddon, Senior Solicitor
Amy Taylor, Senior Development Control Officer

Ward Member:

Councillors:

Derek Button
Christopher Gibbings
Stuart Hughes
Tim Wood

Apologies:

Councillor:

Peter Bowden

The meeting started at 4.00 pm and ended at 5.03 pm

*23 **Minutes**

The minutes of the meeting of the Planning Inspections Committee held on 20 February 2009 were confirmed and signed as a true record.

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

The Committee considered the applications and matter referred to it by the Development Control Committee. Members of the Planning Inspections Committee along with the Development Control Manager, Senior Development Control Manager and Democratic Services Support Officer had informally visited the sites earlier that day.

The following decisions were made having taken into account the reports previously submitted to the Development Control Committee, which had been brought to Members' attention, noted by them and updated during the site visit.

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

- (a) Sidmouth Sidford: Application No: 08/2929/FUL – Erection of close boarded boundary fence at 7 & 8 Bramble Close, Sidmouth for Mr D Smith & Mr M Walker

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

Conditions

- 1 The permission hereby granted shall be commenced within 6 months from the date of decision.

(Reason - The permission is only justified for a limited period because the existing wall is detrimental to highway safety and standard period of commencement of 3 years is considered to be overly long to replace the unauthorised wall.)

- 2 The planting scheme set out in the statement supporting the application and indicated on submitted photograph 7/8-004 shall be completely carried out within nine months from the date of this permission. For a period of 5 years after the implementation of the planting scheme, the planting (comprising Boston Ivy) shall be protected and maintained, and any planting therein that cease to grow, shall be replaced by planting of similar size and species, or other appropriate plants as may be approved in writing by the Local Planning Authority. Thereafter such planting shall be so retained, unless the written consent of the Local Planning Authority is given to any variation.

(Reason - In the interests of preserving the health and vitality of the planting on the development site, the loss of which would have an adverse effect on the visual qualities of the area.)

- 3 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 gate, fence, wall or other means of enclosure (other than that shown on the approved plans) shall be constructed between the properties known as 7 and 8 Bramble Close permitted and the boundary of the site with the A3052 County road (Sidford High Street), or on this boundary, without a grant of express planning permission from the Local Planning Authority.

(Reason – In the interests of the character and appearance of the development.)

- 4 Notwithstanding the details on the submitted plan 7/8-001A hereby approved, the gap between the back edge of the public footway and the fence shall consist of a bound gravel material, unless otherwise agreed in writing by the local Planning authority.

(Reason - To ensure that loose material does not spill out onto the highway which could prejudice highways safety.)

- 5 Within one month of the erection of the fence it shall be stained/coloured olive or forest green and maintained as such thereafter.

(Reason - In the interests of the appearance of the fence and the character of the area.)

- (b) Broadclyst: Application No: 08/2914/FUL – Siting of temporary agricultural workers dwelling at Land Near Wards Cross, Shutter Water Road, Broadclyst for Mr E Persey

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 temporary dwelling hereby permitted shall only be occupied by a person solely, mainly or last employed in the locality of the site in agriculture, as defined in Section 336(1) of the Town and Country Planning Act 1990 or in forestry or a dependent of such a person residing with him or her or a widow or a widower of such a person.

(Reason - To ensure that only residential development that is essential to the rural economy is permitted within this open countryside location in accordance with criteria set out in PPS 1, PPS 3, PPS 7, Policies ST1 and ST16 of the Devon Structure Plan 2001 - 2016 and Policies S5 and H8 of the East Devon Local Plan 1995 – 2011).

- 3 Any occupation of the temporary dwelling hereby permitted shall cease, the dwelling structure shall be removed from the land and the site shall be returned to its former condition within three years of the date of this permission, or at any time at which agricultural activity on the land cease permanently, whichever is the earlier.

(Reason - To ensure that only residential development that is essential to the rural economy is permitted within this open countryside location, in accordance with criteria set out in PPS 1, PPS 3, PPS 7, Policies ST1 and ST16 of the Devon Structure Plan 2001 - 2016 and Policies S5 and H8 of the East Devon Local Plan 1995 – 2011).

- 4 Prior to the commencement of the development hereby permitted details of the proposed package treatment plant and soakaway to serve the site shall have been submitted to and approved in writing by the Local Planning Authority. The details shall show the location of the plant and soakaway and pipe work linking to them, the point of discharge and the entire drainage field on an appropriately scaled plan. The temporary dwelling shall not be occupied until this infrastructure has been completed in accordance with the approved drainage details, and the infrastructure shall be maintained in good working order for the duration of the use of the relevant building.

(Reason – To secure appropriate infrastructure for the development in accordance with Policies ST1 and CO13 of the Devon Structure Plan 2001 - 2016 and Policies S7, D2, EN15 and EN19 of the East Devon Local Plan 1995 - 2011).

- (c) Exmouth Littleham: Application No: 08/3040/FUL – Construction of dwelling and single garage to front at 50 Cranford Avenue, Exmouth for Mr A Robson

RESOLVED: that, contrary to Officers' recommendation, the application be
REFUSED for the following reasons:

Reasons

- 1 The proposed development would result in the loss of an important space between existing dwellings and it is considered would be detrimental to the character and appearance of this area of The Avenues which is characterised by large houses set in spacious grounds. The development would adversely affect this spacious character contrary to The Avenues Design Guide and Policy D1 of the East Devon Local Plan and Policy C06 of the Devon Structure Plan. It is considered that notwithstanding the advice set out in PPS1 (making the best use of urban brownfield land), there have been insufficient changes in circumstances since the last appeal decision on this site to warrant an approval being granted. The adoption of The Avenues Design Guide and relevant Local and Structure Plan policies adds weight to the need to conserve such areas from insensitive and inappropriate infilling which leads to a diminution of character.

- 2 The proposed dwelling, by virtue of its size, position close to the boundaries with adjacent dwellings and height would have an adverse impact on the residential amenity of those properties on either side. The new dwelling would be oppressive and overbearing and lead to a loss of light particularly with regard to No. 48 Cranford Avenue to the west. The proposal would therefore be contrary to Policy D1 of the East Devon Local Plan.

Chairman

Date