

Date: 3 April 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, Ben Ingham, Peter Sullivan,
Mark Williamson)

Ward Members (not on Committee):
(Councillors: John Jeffery)

Deputy Chief Executive – Richard Cohen
Development Manager
Principal Solicitor

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Planning Inspections Committee
Friday 12 April 2013
11:45am
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** in the Members Area, Knowle, for the visiting Members of the Planning Inspections Committee.

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 December 2012. 4 - 9

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>
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Axminster Rural	<u>12/2410/MFUL</u>	9.45am
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(Hawkchurch)	Solar Farm (22ha) comprising the erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks and ancillary equipment at land adjacent to Woodcote National Substation, Hawkchurch	
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Committee

11:45 am

Members please note:

- Members are requested to bring their previously circulated copies of the **Development Management Committee reports to the meeting.**
 - 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 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.

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 the Knowle, Sidmouth
on Friday 14 December 2012

Present: Councillors:
Mark Williamson (Chairman)
Helen Parr (Vice Chairman)
David Atkins
Geoff Chamberlain
Alan Dent
David Key
Geoff Pook
Peter Sullivan

Ward Members: Councillor Ben Ingham

Officers: Paul Barkley, Legal Locum
Ed Freeman, Development Manager
Hannah Whitfield, Democratic Services Officer

The meeting started at 11.00 am and ended at 12.25 am.

*9 **Minutes**

The minutes of the meeting of the Planning Inspections Committee held on 30 November 2012 were confirmed and signed as a true record.

*10 **Declaration of Interests**

There were none.

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

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

- a) Sidmouth Rural: Application No: 12/1805/FUL – Removal of 2 no. craft workshops (B1 use) and construction of 2 no. live/work units with communal meeting room at Kingsdown Business Park, Salcombe Regis, Sidmouth

RESOLVED: that the application be APPROVED with delegated authority to the Development Manager to impose appropriate conditions.

Members resolved against the Officers' recommendation of refusal as they considered that the proposal would enhance the visual amenity of the area and would meet a need for a different type of business unit in the area – meeting this need outweighed concerns about sustainability.

b) Woodbury and Lypmstone: Application No: 11/2490/MFUL – Residential development of 15 dwellings (10 affordable and 5 open market) at land adjacent to Primley, Town Lane, Woodbury

RESOLVED: that the application be APPROVED subject to the applicant entering into a Section 106 agreement to secure the provision of 10 affordable dwellings and future retention as such and financial contributions towards open space provision/enhancement and education

and the following 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. Notwithstanding the submitted details, 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 CO6 (Quality of New Development) of the Devon Structure Plan and Policies D1 (Design and Local Distinctiveness) of the East Devon Local Plan.)
4. Notwithstanding the submitted details, 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 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.
(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policy CO6 (Quality of New Development) of the Devon Structure Plan and Policies D1 (Design and Local Distinctiveness) and D4 (Landscape Requirements) of the East Devon Local Plan.)
5. No development shall take place until details of the system for dealing with surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details before any dwelling on the site is occupied.
(Reason - To avoid pollution of the environment and/or flooding in accordance with the requirements of Policy CO13 (Protection of Water Resources and Flood Defence) of the Devon Structure Plan and Policy EN15 (Control of Pollution) of the East Devon Local Plan.)

6. Prior to commencement of any works on site (including demolition), tree protection details, to include the protection of hedges and shrubs, shall be submitted to and approved in writing by the Planning Authority. These shall adhere to the principles embodied in BS 5837:2012 and shall indicate exactly how and when the trees will be protected during the site works. Provision shall also be made for supervision of tree protection by a suitably qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed 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 amenity and to preserve and enhance the character and appearance of the area in accordance with policies D1 (Design and Local Distinctiveness), D4 (Landscape Requirements) and D5 (Trees on Development Sites) of the East Devon Local Plan.)

7. The development hereby approved shall be carried out in accordance with the recommendations contained within the ecological assessment report (dated March 2011) and the reptile mitigation strategy (dated November 2011) prepared by Richard Green Ecology Ltd. and further details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority in relation to additional hedge planting in the northern and southern hedge boundaries and the provision of bird nesting and bat roosting sites within the development referred to in the ecological assessment report.

(Reason - In the interests of protecting the ecological value of the site in accordance with Policy CO10 (Protection of Nature Conservation Sites and Species) of the Devon Structure Plan and Policy EN6 (Wildlife Habitats and Features) of the East Devon Local Plan.)

8. 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 works within Schedule, Part 1, Classes A, B, C, D or E for the enlargement, improvement or other alterations to the dwellings hereby permitted, other than works that do not materially affect the external appearance of the dwellings, shall be undertaken without a grant of express planning permission from the Local Planning Authority.

(Reason - The space available would not permit such additions without detriment to the character and appearance of the area and the design of the dwellings, the amenities of adjoining occupiers or the character and appearance of the landscape in accordance with Policies C06 (Quality of new development) and C03 (Areas of Outstanding Natural Beauty) of the Devon Structure Plan and Policies D1 (design and Local Distinctiveness) and EN1 (Development affecting Areas of Outstanding Natural Beauty) of the adopted East Devon Local Plan)

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls (other than those shown on the approved site layout drawing) shall be erected within the curtilage of any dwellinghouse forward of its principal elevation.
(Reason - To retain the open plan character of the development in accordance with Policies C06 (Quality of New Development) and C03 (Areas of Outstanding Natural Beauty) of the Devon Structure Plan and Policies D1 (Design and Local Distinctiveness) and EN1 (Development Affecting Areas of Outstanding Natural Beauty) of the adopted East Devon Local Plan.)

10. Prior to the occupation of any of the dwellings hereby permitted, details of any external lighting 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 - In the interests of the character and appearance of the development and in accordance with Policies C06 (Quality of New Development) and C03 (Areas of Outstanding Natural Beauty) of the Devon Structure Plan and Policies D1 (Design and Local Distinctiveness) and EN1 (Development Affecting Areas of Outstanding Natural Beauty) of the adopted East Devon Local Plan).

NOTE FOR APPLICANT

1. IN GRANTING PLANNING PERMISSION FOR THIS DEVELOPMENT, THE FOLLOWING IS A SUMMARY OF THE REASONS FOR THE DECISION:

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

ST1 (Sustainable Development)
ST3 (Self Sufficiency of Devons Communities)
ST5 (Development Priority 2001 to 2016)
ST18 (Affordable Housing)
CO6 (Quality of New Development)
CO7 (Historic Settlements and Buildings)
CO10 (Protection of Nature Conservation Sites and Species)
TR2 (Co-ordinating Land Use/Travel Planning)
TR10 (Strategic Road Network)

East Devon Local Plan Policies

S3 (Built-up Area Boundaries for Villages)
S5 (Countryside Protection)
D1 (Design and Local Distinctiveness)
D2 (Sustainable Construction)
D4 (Landscape Requirements)
D5 (Trees on Development Sites)
EN6 (Wildlife Habitats and Features)
EN9 (Extension, Alteration or Change of use of Buildings of Special Architectural and Historic Interest)
H3 (Range and Mix of New Housing Development)
RE3 (Open Space Provision in New Housing Developments)
TA1 (Accessibility of New Development)
TA7 (Adequacy of Road Network and Site Access)
TA9 (Parking Provision in New Development)

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 does no harm to wildlife interest.
5. The proposal makes adequate provision for the disposal of foul/surface water in the interest of flood/pollution prevention.
6. The proposal does not harm the setting of a listed building within close proximity to the site.
7. The access to serve the proposal does not prejudice highway safety.
8. The application complies with the agreed Interim Position statement for the delivery of affordable housing in accordance with a recognised Housing Needs Survey.

Approved Plans

	Location Plan	07.11.11
SK06 REV A	Other Plans	30.10.12
336:2:10	Combined Plans	21.09.12
336:2:11	Combined Plans	21.09.12
336:2:12	Combined Plans	21.09.12
336:1:01 REV H	Proposed Site Plan	19.09.12
336:1:02 REV A	Combined Plans	21.09.12
336:4:03 REV A	Proposed Elevation	19.09.12

Chairman Date