

Date: 16 November 2011
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Our Reference: CEH



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

Ward Members:
(Derek Button, Peter Bowden)

Head of Economy
Development Manager
Senior Solicitor

East Devon District Council
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Dear Sir/Madam,

Planning Inspections Committee
Friday 25 November 2011 at 10.00 am

The above Committee meeting will be held in the Council Chamber, Knowle, Sidmouth to consider the matter 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.

Please note the **assembly time of 8.05 am** in the Members Area, Knowle, for the visiting Members of the Planning Inspections Committee.

Yours faithfully,

MARK WILLIAMS

Chief Executive

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.

Protective Marking: UNCLASSIFIED

Mark Williams, Chief Executive
Denise Lyon, Deputy Chief Executive and Monitoring Officer
Richard Cohen, Deputy Chief Executive

- 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 30 September 2011

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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>
Broadclyst	10/1711/MFUL	8.45 am
	Demolition of existing bungalow and former outbuildings, works and construction of 13 residential dwellings with associated works including new pedestrian access to School Lane at Kingdorn House, Broadclyst.	
	Committee	10.00 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 **8.05 am for departure at 8.15 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 personal or prejudicial interests in an item whenever it becomes apparent that you have an interest in the business being considered.
- ❑ Where you have a personal interest because the business relates to or is likely to affect a body of which you are a member or manager as an EDDC nominee or appointee, then you need only disclose that interest when (and if) you speak on the item. The same rule applies if you have a personal interest in relation to a body exercising functions of a public nature.
- ❑ 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 – 52B

From Seaton – 52A

From Otterly 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 30 September 2011

- Present: Councillors:
Mark Williamson(Chairman)
Derek Button
Alan Dent
David Key
Helen Parr
Geoff Pook
Phil Twiss
- Ward member: Councillors:
Peter Bowden
- Officers: Ed Freeman, Interim Development Manager
Mike Drake, Senior Planning Officer
Hannah Whitfield, Democratic Services
- Apologies: Councillors:
Geoff Chamberlain
Tony Howard
Peter Sullivan
Andrew Seddon, Senior Solicitor

The meeting started at 10.47 am and ended at 11.35 am.

- *7 Minutes
The minutes of the meeting of the Planning Inspections Committee held on 2 September 2011 were confirmed and signed as a true record, subject to Councillor Stephanie Jones being added to the list of attendees.
- *8 Application referred to the Planning Inspections Committee
The Committee considered the application referred to it by the Development Management Committee.
- a) Broadclyst: Application No: 11/1035/FUL – Demolition of existing property and annex and construction of 4 dwellings with garages and parking at Broomfield View, London Road, Rockbeare

RESOLVED: that the application be APPROVED subject to receipt of confirmation that a covenant had been imposed on the land that forms part of the curtilage of the property known as Fairway and falls within the visibility splay for the proposed access requiring the visibility splay to be maintained in perpetuity.

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).

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

a) Broadclyst: Application No: 11/1035/FUL – Demolition of existing property and annex and construction of 4 dwellings with garages and parking at Broomfield View, London Road, Rockbeare

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 development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted 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 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 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, rooflights or other openings other than those shown on the plans hereby permitted shall be formed in the eastern and western elevations of all of the four dwellings hereby permitted.
(Reason - To protect the privacy of adjoining occupiers in accordance with requirements of Policy D1 (Design and Local Distinctiveness of the East Devon Local Plan.)
5. The windows shown on the west and east facing elevations at first floor level of the houses on Plots A and B and the vertical slit windows in the side elevations of the lounge/dining areas of houses C and D on the plans hereby permitted shall be fitted with obscure glazing before the dwellings hereby permitted are first occupied and the obscure glazing shall be retained thereafter.
(Reason - To protect the privacy of adjoining occupiers in accordance with requirements of Policy D1 (Design and Local Distinctiveness of the East Devon Local Plan.)
6. The 2.1m high frosted glass screen at the western end of the first floor balcony of the houses on plots C and D hereby permitted shall be erected before each house is first occupied and thereafter permanently maintained as a privacy screen.
(Reason - To protect the privacy of the occupiers of adjoining properties in accordance with requirements of Policy D1 (Design and Local Distinctiveness of the East Devon Local Plan)

*8 Application referred to the Planning Inspections Committee

a) Broadclyst: Application No: 11/1035/FUL – Demolition of existing property and annex and construction of 4 dwellings with garages and parking at Broomfield View, London Road, Rockbeare continued...

7. Visibility splays shall be provided, laid out and maintained for that purpose at the site access in accordance with the attached diagram D049/10/100B where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 82 metres in both directions.

(Reason -To provide adequate visibility from and of emerging vehicles in accordance with Policy TA7 Adequacy of Road Network and Site Access of the East Devon Local Plan).

8. No construction or demolition works associated with the development hereby permitted shall take place outside the hours of 8am to 6pm Monday to Friday, and 8am to 1pm on Saturdays. No works shall be carried out on Sundays or Bank Holidays.

(Reason: To protect the amenity of local residents from noise in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 1995 - 2011.)

9. Notwithstanding the submitted details and prior to the commencement of development full plans to show the existing levels of the application site and the proposed finished floor levels of the dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The proposed floor levels for plot D as indicated on plan D049/10/111 shall closely adhere to the existing, lower levels on the part of the site proposed for plot C and the development shall only be carried out in accordance with the approved details.

(Reason - In the interests of the neighbouring amenity of residents in 2 Inner Broomfield in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 1995 - 2011.)

*8 Application referred to the Planning Inspections Committee

- a) Broadclyst: Application No: 11/1035/FUL – Demolition of existing property and annex and construction of 4 dwellings with garages and parking at Broomfield View, London Road, Rockbeare continued...

Reasons for approval

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

CO6 (Quality of New Development)

East Devon Local Plan Policies

D1 (Design and Local Distinctiveness)

RE3 (Open Space Provision in New Housing Developments)

PUA 1 (New Community)

TA7 (Adequacy of Road Network and Site Access)

(Councillor Derek Button wished for his vote against the decision to approve the above application to be recorded)

Chairman Date