

Date: 6 May 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)

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

East Devon District Council
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Dear Sir/Madam,

**Planning Inspections Committee
Friday 15 May 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

Page/s

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|---|--|-------|
| 1 | To confirm the minutes of the meeting of the Planning Inspection Committee held on 17 April 2009. | 4 - 7 |
| 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 application which the permanent, including substitute, Members of the Planning Inspections Committee have informally inspected during the day:

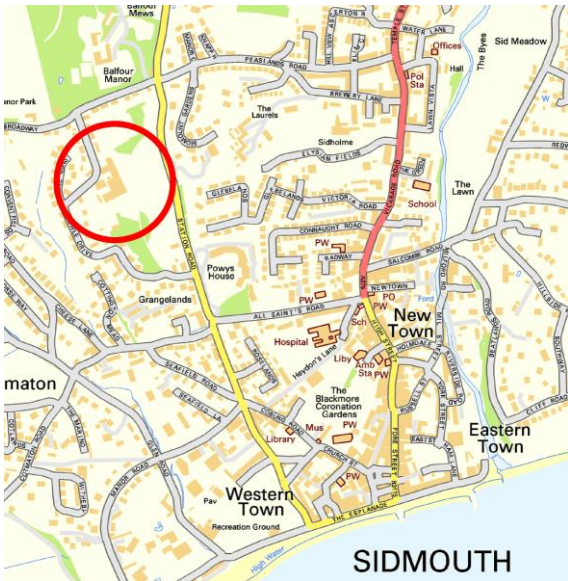
<u>District Ward</u>	<u>Application/Case Number</u> <u>Proposed Development / Site / Applicant</u>	<u>Approximate time</u> <u>of informal visit</u>
Whimple	09/0311/MFUL Construction of crematorium with associated landscaping, access and carparking for Mr A Marshall.	2.30 pm
	Committee	4.00 pm

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 17 April 2009

Present:

Councillors:

Tony Reed (Chairman)
Helen Parr (Vice Chairman)

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

Officers:

James Brown, Senior Development Control Officer
Andrew Carmichael, Assistant Development Manager
Hannah Jarvis, Democratic Services Support Officer
Andrew Seddon, Senior Solicitor

Ward Member:

Councillors:

Jill Elson
Frances Newth

Apologies:

Councillor Graham Liverton

The meeting started at 4.01 pm and ended at 4.37 pm

*25 **Minutes**

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

*26 **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 Assistant Development Manager, Senior Development Control Officer 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) Exmouth Halsdon: Application No: 08/3113/FUL – Construction of a detached dwelling at 186 Exeter Road, Exeter for Mr A Walsh

RESOLVED: that the application be REFUSED subject to the following reason:

Reason for Refusal

- 1 The proposed detached dwelling, by reason of its inappropriate siting and proximity to 186 Exeter Road, would have an overbearing impact on the amenity space to the rear of this property and would detract from the living conditions of the occupiers. The development would also give rise to an unacceptable degree of overlooking between first floor windows in the new dwelling and existing property with a consequent loss of privacy for the residents of both properties. The development is therefore contrary to Policy CO6 (Quality of New Development) of the Devon Structure Plan 2001 – 2016 and Policies S4 (Development Within Built-up Area Boundaries) and D1 (Design and Local Distinctiveness) of the Adopted East Devon Local Plan 1995 – 2011.

- (b) Sidmouth Town: Application No: 08/2141/FUL – Proposed demolition of existing single storey and erection of pair of semi-detached 2 bed houses at Heydons Hall, Heydons Lane, Sidmouth for Mrs J Dumenil

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

Conditions

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

(Reason - To comply with section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)

- 2 Approval of the details of the layout, scale and appearance of the building (s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(Reason - The application is in outline with one or more matters reserved.)

- 3 The combined footprint area of the dwellings shall not exceed that indicated on the approved illustrative 1:100 site/block plan drawing no. 3586/7. The heights of the eaves and of the highest ridge of the new buildings shall not exceed the levels indicated on the illustrative elevation and section drawing no. 3586/8 when the ground level shown on the latter drawing is taken as being the level of the base of the southern wall of the existing building on the site. Prior to the commencement of any development on the site a datum point, clearly expressing this ground level, shall be fixed at a place on or adjoining the site, to be agreed with the Local Planning Authority in writing, and shall be so retained for the duration of the construction period.

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

(b) Sidmouth Town: Application No: 08/2141/FUL – Proposed demolition of existing single storey and erection of pair of semi-detached 2 bed houses at Heydons Hall, Heydons Lane, Sidmouth for Mrs J Dumenil

(Reason – To secure an appropriate maximum scale and bulk for the building, in the interests of the character and appearance of the locality and of the adjoining Conservation Area, in accordance with advice set out in PPS 1 and PPG 15, and with policies CO6 and CO7 of the Devon County Structure Plan 2001 -2016 and policies D1 and EN11 of the East Devon Local Plan 1995 - 2011.)

- 4 Each dwelling house shall have one car and two cycle parking spaces provided for it within the site. No occupation of the dwellings shall take place until such provision shall have been laid out in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority as part of the reserved matters, as required by condition 2 of this permission. The approved car and cycle parking provision shall be maintained and kept available for these purposes for the duration of the occupation of the dwelling that the parking serves.

(Reason – To secure appropriate off-street car and cycle parking facilities for the development, in accordance with advice set out in PPG 13 and with policies TR2 and TR10 of the Devon County Structure Plan 2001 -2016 and policies TA7 and TA9 of the East Devon Local Plan 1995 – 2011).

- 5 The landscaping details required by condition 2 of this permission shall include the retention of the Holly tree on the site, together with the method of its protection during construction works and its management thereafter.

(Reason – To ensure the protection of this important tree in accordance with advice set out in PPS 1 and PPS 9, and with policies ST1 and CO6 of the Devon County Structure Plan 2001 -2016 and policies S4, D1 and D5 of the East Devon Local Plan 1995 – 2011.)

- 6 All parking and pathway hard surfaces proposed as part of the landscaping details required by condition 2 of this permission shall be constructed of permeable materials.

(Reason – To assist in the management of surface water run-off for the site, in accordance with advice set out in PPS 1 and PPS 25, and with policies ST1 and CO13 of the Devon County Structure Plan 2001 -2016 and policies S4, D1 and EN21 of the East Devon Local Plan 1995 – 2011.)

- 7 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 openings shall be let above ground floor ceiling height in any south west-facing elevation (wall or roof plane) of any building on the site.

(Reason – To prevent damage to the amenities of adjoining occupiers as a result of potential overlooking, in accordance with national and local planning policy and guidance, as set out in PPS1, PPS3, policies ST1 and CO6 of the Devon Structure Plan 2001 – 2016, and policies S4 and D1 of the East Devon Local Plan 1995 – 2011).

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

- (b) Sidmouth Town: Application No: 08/2141/FUL – Proposed demolition of existing single storey and erection of pair of semi-detached 2 bed houses at Heydons Hall, Heydons Lane, Sidmouth for Mrs J Dumenil

Informatives

- 1 The applicant is encouraged to utilise energy- and resource- efficient and generating materials, equipment and methods in the construction works and in the subsequent use of the dwellings in accordance with national and local planning policy and advice, as set out in PPS1 and policies ST1 and CO11 of the Devon Structure Plan 2001 - 2016 and policies D1 and D2 of the East Devon Local Plan 2006.
- 2 This permission is to be read in conjunction with the Unilateral Undertaking dated 27th February 2009 relating to the site.
- 3 The layout should provide for the dwellings to be moved back into the site a small additional distance (e.g. 0.5 metres or 1 metre) to allow cars parked at the front of the site to be clear of the highway.

Chairman

Date