

**EAST DEVON DISTRICT
COUNCIL**

**DEVELOPMENT CONTROL
COMMITTEE**

HELD ON Tuesday 30 June 2009

SCHEDULE NUMBER 2 – 2009/2010

APPLICATIONS DETERMINED BY THE COMMITTEE

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The following applications were APPROVED subject to such conditions as may be indicated

SIDMOUTH SIDFORD
(Sidmouth) 09/0877/FUL

Applicant: Mrs C Worthington

Location: 73 Manstone Avenue
Sidmouth
EX10 9TG

Proposal: Two storey extension

RESOLVED APPROVED subject to the following planning 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those of the existing building.
(Reason - To ensure that the materials are sympathetic to the character and appearance of the existing building).
3. The windows at first floor level within the southeast elevation of the extension hereby approved shall be obscured glazed only and non opening and shall be permanently maintained as such.
(Reason – In the interests of residential amenity).

Reasons for approval

The proposal complies with the Devon Structure Plan 2001-2016 Policy CO6 (Quality of New Development).

The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies D1 (Design and Local Distinctiveness) and H7 (Residential Extensions).

The proposal does not adversely affect the privacy and/or amenity of neighbouring properties.

The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.

RALEIGH
(Otterton) 08/2325/MFUL

Applicant: Mr Robin Carter

Location: Ladram Bay Holiday Centre
Ladram Road
Otterton
Budleigh Salterton

Proposal: Re-shaping of existing tenting and touring field including landscaping works

RESOLVED

APPROVED as per recommendation but with the following changes:

1. Notwithstanding the time limit to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission being retrospective as prescribed by Section 63 of the Act shall have been deemed to have been implemented on the 30 June 2009.
(Reason - To comply with Section 63 of the Act).
2. The Additional Landscape planting as indicated on drawing no. 3118/10b shall be carried out and fully implemented by 31st December 2009 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.)
3. The use of the terraces hereby approved shall be restricted to use for the pitching of tents and use by touring caravans and motorhomes only and shall at no time be used for the purposes of the stationing or siting of static caravans or mobile homes. (Reason – In order to restrict the size, type and degree of permanence of structures/vehicles that can utilise the upper terraces in the interests of the conservation and enhancement of the surrounding Area of Outstanding Natural Beauty.)
4. 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 works shall be undertaken within Schedule 2 Part 2 Class A for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or means of enclosure along the edge of the terraces hereby permitted.
(Reason – To enable the Local Planning authority to retain control over any such development in the interests of the conservation and enhancement of the surrounding Area of Outstanding Natural Beauty).

Members considered that there was no compelling argument in visual impact terms to warrant the original condition 3.

Reasons for Approval

The proposal complies with the Devon Structure Plan 2001-2016 Policies CO3 (Areas of Outstanding Natural Beauty), CO5 (Coastal Preservation Area), CO6 (Quality of New Development), TO3 (Tourism Development in Rural Areas) and TO4 (Touring Parks and Camping Sites).

The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies S5 (Countryside Protection), D1 (Design and Local Distinctiveness), EN1 (Developments Affecting Areas of Outstanding Natural Beauty), TO1 (Proposals for Holiday or Overnight Accommodation and Associated Facilities) and TO4 (Caravan, Chalet and Camping Sites).

The proposal does not adversely affect the privacy and/or amenity of neighbouring properties.

The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.

The proposal does not harm the natural beauty of the landscape designated as an Area of Outstanding Natural Beauty.

The proposal does not harm the unspoilt character and appearance of the Coastal Preservation Area.

OTTERHEAD
(Stockland) 09/0787/FUL

Applicant: Messrs T and N Patch

Location: Stable Cottage, Heathstock, Stockland

Proposal: Replacement Dwelling

RESOLVED APPROVED subject to 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. 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.)
3. No development shall commence until details of the external treatment for the windows, doors, bargeboards and eaves has 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).
4. 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.)
5. On or before the day on which the dwelling hereby permitted is first occupied for residential purposes, the existing dwelling on the site shall cease permanently to be used for residential purposes and shall be demolished forthwith and the site of the demolished dwelling shall be used as part of the curtilage of the new dwelling.
(Reason - In the interest of the character and appearance of the locality.)
6. 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 works shall be undertaken within Schedule 2 Part 1 Classes A, B, or E for the enlargement, improvement or other alterations to the dwelling hereby permitted, other than works that do not materially affect the external appearance of the buildings, or for the provision within the curtilage of any building or enclosure, swimming or other pool, [other than any enclosure approved as part of the landscape management scheme].
(Reason - The space available would not permit such additions with detriment to the character and appearance of the area or to the amenities of adjoining occupiers.)

Members resolved contrary to the officer's recommendation for the following reasons:

1. Existing building is not worthy of retention and does not have a vernacular appearance.
2. Replacement building would be an improvement in terms of character of the hamlet and the AONB.
3. Replacement dwelling is of a reasonable size commensurate to the site and character of the hamlet.

COLY VALLEY
(Offwell)

09/0386/OUT

Applicant:

Mrs S Budden

Location:

Northcombe Farm, Offwell

Proposal:

Agricultural workers dwelling

RESOLVED

APPROVED subject to the following conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of one year from the date of this permission. The development hereby permitted shall be begun before the expiration of one year 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 occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow or widower of such a person, and to any resident dependants.
(Reason - The dwelling is justified only by agricultural need and should remain available for this purpose.)
4. The landscaping scheme required by Condition 2 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.)

Members resolved contrary to the officer recommendation for the following reasons:

1. Functional need for onsite presence with this particular enterprise.
2. Inspectors views have been overcome by additional information submitted.
3. Resolution time needed to resolve problems of 20 minutes supports functional need to be on site at all times.
4. Financially well founded enterprise.

The following applications were referred to the
PLANNING INSPECTIONS COMMITTEE

CLYST VALLEY
(Farringdon)

09/0472/MOUT

Applicant:

Mrs Sarah Lockwood

Location:

Waldrons Farm
Sidmouth Road
Farringdon
EX5 2JX

Proposal:

Outline application for the change of use of land and associated development for uses B2 (industrial) and B8 (storage and distribution)

RESOLVED

INSPECT:

Reasons:

1. Impact on local area.
 2. Impact on local residents.
 3. Highway issues.
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AXMINSTER TOWN
(Axminster)

09/0758/FUL

Applicant:

Tick Tocks Day Nursery (Mrs L Knight)

Location:

Yarty View, Lyme Close, Axminster

Proposal:

Change of use of dwelling to children's day nursery

RESOLVED

INSPECT:

Reasons:

1. Impact on local residents.
 2. Impact on highway safety (Highway Officer to be invited to attend)
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