

EAST DEVON DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE

HELD ON Tuesday 8 August 2006

SCHEDULE NUMBER 3 - 2006/2007

APPLICATIONS DETERMINED BY THE COMMITTEE

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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

AXMINSTER
(Axminster Town) 06/1278/FUL
(FULL)

Applicant: Mr A Otreba

Location: 19 Woodbury Park, Axminster
(Grid Ref: 329448/97607)

Proposal: Erection of attached dwelling

RESOLVED APPROVED subject to the following conditions:

Conditions

1. 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.
2. No other part of the development hereby approved shall be commenced until the access and parking facilities for both the existing and new properties have been provided and maintained in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority and retained for that purpose at all times.
Reason – In the interests of highway safety.

CLYST ST LAWRENCE
(Broadclyst) 06/1240/FUL
(Full)

Applicant: East Devon District Council

Location: Rear of 7 & 8 Foretown Estate
(Grid Ref: 303087/100093)

Proposal: Construction of replacement sewage treatment works and improved access

RESOLVED APPROVED subject to the following condition:

Condition

No development shall take place until a landscaping scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall include provision for tree and shrub planting, hard landscaping and any walling, fencing or other boundary treatment. The landscaping scheme shall be implemented in accordance with the approved details within one year of the substantial completion of the plant. Any plants or trees which, within five years from the date of the substantial completion of the works die, become in the opinion of the local planning authority irrecoverably diseased or damaged or are removed, shall be replaced during the next planting season following their demise with specimens of a similar size and species unless agreed otherwise in writing by the local planning authority.

Reason - In the interests of preserving and enhancing the character and appearance of the area.

EXMOUTH
(Exmouth Halsdon)

06/1443/FUL
(FUL)

Applicant: Mrs M Simarpi

Location: 7 Seafield Avenue
(Grid Ref: 300168/82759)

Proposal: Erection of dwelling and garage (outline)

RESOLVED APPROVED subject to the following conditions:

Conditions

1. Prior to the commencement of the development hereby permitted details of the access to the site and the turning and parking areas within the site, along with their construction and surfacing, shall be submitted to and approved in writing by the local planning authority. The development shall therefore proceed in accordance with these details, with parking and turning areas retained for that purpose.
(Reason - In the interests of highway safety, and for the avoidance of doubt.)
2. Notwithstanding submitted details, details of the materials to be used externally shall be submitted to and agreed in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
(Reason- In the interests of the character and appearance of the area.)
3. Prior to the commencement of development a landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. This shall include provision for tree and shrub planting, hard landscaping and any walling, fencing or other boundary treatment. The landscaping scheme shall be implemented in accordance with the approved details within one year of the substantial completion of the development. Any plants or trees which, within five years from the date of the substantial of the development, die, become in the opinion of the local planning authority irrecoverably diseased or damaged or are removed, shall be replaced during the next planting season following their demise with specimens of a similar size and species unless agreed otherwise in writing by the local planning authority.
(Reason - In the interests of preserving and enhancing the character and appearance of the area.)

EXMOUTH
(Exmouth Withycombe Raleigh)

06/0938/FUL
(FULL)

Applicant: Mr Leballeur

Location: 69 Langstone Drive
(Grid ref: 301212/82472)

Proposal: Ground floor extension including garage and formation of terrace at first floor level

RESOLVED 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 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.)

GITTISHAM
(Feniton & Buckerell)

06/1116/COU
(Full)

Applicant:

T Lek & M OConnell

Location:

The Bakery
(Grid Ref: 313461/98389)

Proposal:

Change of use from shop to residential unit

RESOLVED

APPROVED subject to the following condition:-

Condition

The residential unit hereby permitted shall not be occupied until the preventive measures to minimise risk of flooding of the building set out in the applicants' supporting statement accompanying the application have been implemented in full unless otherwise agreed in writing by the Local Planning Authority. These shall thereafter be permanently retained as such.

(Reason – In the interests of minimising flood risk to the building.)

AYLESBEARE
(Ottery St Mary Rural)

06/1834/FUL & 06/1202/LBC

Applicant:

Mr and Mrs S Thompson

Location:

The Homestead Rosamondford
(Grid Ref: 302663/91561)

Proposal:

Replacement windows, removal of conservatory, erection of garden room, repairs and alterations

RESOLVED

APPROVED subject to the following conditions:

Conditions

06/1834/FUL

1. Before any work is undertaken to demolish any part of the building, the applicant shall take such steps and carry out such works as shall during the process of the works permitted by this consent, secure the safety and the stability of that part of the building which is to be retained. Such steps and works, shall where necessary include in relation to any part of the building to be retained measures as follows:-

- To strengthen any wall or vertical surface.
- To support any wall, roof or horizontal surface, and
- To provide protection for the building against the weather during the progress of the works.

(Reason – To safeguard the architectural and historic character of the building/structure.)

SEATON
(Seaton) 06/1384/FUL
(FULL)

Applicant: William Hill Organisation Ltd

Location: 26 Queen Street, Seaton
(Grid Ref: 324391/90097)

Proposal: Alterations to shopfront

RESOLVED APPROVED subject to the following condition:

Condition

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.

UPLYME
(Trinity) 06/1152/FUL
(Full)

Applicant: Mr and Mrs Moyne

Location: Ocklynge, Yawl Hill Lane
(Grid Ref: 331899 94724)

Proposal: Demolition of bungalow and garage/carport and erection of replacement chalet bungalow with integral garage

RESOLVED APPROVED subject to the following conditions:

Conditions

1. 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 which is designated an Area of Outstanding Natural Beauty.)
 2. No development shall take place until satisfactory details as to the design of the timber decking, and height and design of the perimeter handrail, 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 enable the Local Planning Authority to consider the details of the timber decking and handrail in the interests of the character and appearance of the completed development and the designated Area of Outstanding Natural Beauty in which the site is located.)
-

LYMPSTONE
(Woodbury & Lympstone) 06/1324/FUL
(FULL)

Applicant: Mr Rowe

Location: Haven Church, Path Terrace
(NGR: 299230 83998)

Proposal: Replacement dwelling

RESOLVED APPROVED subject to the following conditions:-

Conditions

1. 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.)
2. 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)
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking the re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto Church Path.
(Reason – To retain the open character of the landscaped frontage)
4. 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 windows, doors, rooflights or other openings other than those shown on the plans hereby permitted shall be formed in the north and south elevations of the building.
(Reason – To protect the privacy of adjoining occupiers.)
5. Before the dwelling hereby permitted is occupied the window on the north elevation shall have been glazed with obscure glass and the obscure glazing of these windows shall thereafter be retained at all times. The window shall be fixed shut.
(Reason - To protect the privacy of adjoining occupiers.)
6. Prior to development commencing details of the site levels and ridge height shall be submitted to and agreed by the Local Planning Authority and the works shall then be undertaken in accordance with the agreed scheme
(Reason – To protect the amenity of adjoining occupiers.)

LYMPSTONE 06/1013/FUL
(Woodbury and Lymptone) (FULL)

Applicant: Mr Stokoe & Mr Scott Quinn

Location: Hidden House, Courtlands Lane
(Grid Ref: 299596/83526)

6. Notwithstanding submitted details the roof material of the flat roofed structure to the northern end of the building shall be agreed in writing by the Local Planning Authority and the development shall be in accordance with the approved details.

(Reason – In the interest of the tree in proximity to this part of the site and the building.)

7. Notwithstanding submitted details, no work shall be commenced until full details of all of the proposed materials for the facing and roofing materials, hard landscaping, and window and door finishes have been submitted to and approved in writing by the Local Planning Authority. Such details shall include a sample reference panel sufficiently representing the material in question constructed on site on a level firm foundation in a dry location with natural daylight. The panel(s) shall be no less than 1m² in size and should be in the final proposed colour finish and texture including gloss factor to paint work, sprayed and powder coated materials. Samples of all façade materials and brick paviours such that they can be seen together.

(Reason - To enable the Local Planning Authority to consider the details of the materials to be used for the development in the interests of the appearance and character of the area.)

8. The garages shall be used only as such and at no time shall be converted to provide additional living accommodation.

(Reason - In the interests of the design, to ensure that adequate garaging remains available and to avoid clutter on the site.)

9. The annex shall be used only in conjunction with and ancillary to the use of Hidden House as a single dwelling house and shall not be used as a separate dwelling or for any industrial, commercial or business purpose.

(Reason – The annex is unsuitable for independent residential occupation, the access leading to the house would not support two dwellings without a significant adverse effect on highway safety and a commercial use could cause a detrimental effect on the amenities of adjoining neighbours.)

The following applications were REFUSED for the reasons indicated

FARRINGTON
(Clyst Valley)

05/2572/FUL
(FULL)

Applicant:

Avent Engineering Limited

Location:

Mushroom Road, Hill Barton Business Park
(NGR: 300276 91030)

Proposal:

Retention of security lighting

RESOLVED

- (1) that the application be REFUSED on the following grounds:-

The level of illumination and continuous use of pole mounted lights in a rural business park and countryside location, results in a significant intrusion into appearance and functioning of the rural area which has predominantly dark night time skies. The application constitutes development that is contrary to existing British Standards, the aims of Policy CO6 (Quality of New Development) of the Devon Structure Plan 2001 to 2016 and Policies D1 (Design and Local Distinctiveness) and S4 (Countryside Protection) of the East Devon Local Plan Revised Deposit 2003 (incorporating Proposed Modifications 2006).

- (2) that the Chief Executive be authorised to take such legal action as is considered necessary to remedy the alleged breach of planning control. It being expedient to do so because light pollution and visual harm that results from the pole mounted luminaries within a countryside location is significantly harmful the dark night time skies and out of character with the surrounding area.

Compliance period 3 months

SIDMOUTH
(Sidmouth Rural)

06/1290/FUL
(FULL)

Applicant:

Mr T Barrington

Location:

Turnpike Cottage, Salcombe Regis

Proposal:

Single storey extension

RESOLVED

that the application be DEFERRED for negotiations on design. If the applicant does not wish to negotiate delegated authority is given to the Head of Planning and Countryside Services in consultation with the Chairman and Ward Member to REFUSE for the following reason:

Reason

The proposed extension, by virtue of its scale, footprint and siting, would constitute an over development of Turnpike Cottage and as such would be detrimental to the character and appearance of the dwelling. The proposal is therefore contrary to D1 (Design and Local Distinctiveness), and H9 (Residential Extensions in the Open Countryside) and S4 (Countryside Protection) of East Devon's Revised Deposit (incorporating Proposed Modifications 2006) Local Plan and policy C06 (Quality of New Development) of Devon's Structure Plan (2001 - 2016).

The following applications were referred to the
PLANNING INSPECTIONS COMMITTEE

BUDLEIGH SALTERTON
(Budleigh)

06/0839/FUL
(FULL)

Applicant:

Bursia Ltd

Location:

5 Westfield Road
(Grid Ref: 306216/82217)

Proposal:

Demolition of building, construction of 8 apartments, bin store,
parking and associated works.

RESOLVED

INSPECT

Reason

Ward Members' concerns over the size and design of the proposal.

LUPPITT
(Otterhead)

06/0934/FUL
(FULL)

Applicant:

Matthew Law

Location:

Luppitt Mill, Greenway Lane
(Grid ref: 317076/ 105236)

Proposal:

Erection of 2 no. grain silos to rear of mill, access track and
turning area.

RESOLVED

INSPECT

Reason

Members' concerns over the position of the proposed silos.

OTTERY ST MARY
(Ottery St Mary Town)

06/1284/FUL
(FULL)

Applicant:

Mr M Salter

Location:

Leaway, Slade Road Site Adjoining
(NGR: 310621 95241)

Proposal:

Erection of detached dwelling

RESOLVED

INSPECT

Reason

Ward Members' concerns over the size and scale of the proposal.

OTTERY ST MARY
(Ottery St Mary Town)

06/0682/OUT
(FULL)

Applicant: Mr & Mrs Jones

Location: 3 Orchard Close
(Grid ref: 310171/95296)

Proposal: New bungalow

RESOLVED INSPECT

Reason

Due to conflict of opinions between Officers and Ward Members.

SIDMOUTH
(Sidmouth Town)

06/0331/FUL
(FULL)

Applicant: Mr & Mrs Malloch-Brown

Location: 24 Witheby, Cotmaton
(Grid Ref:311955/8726)

Proposal: 3 Storey extension to form town house

RESOLVED INSPECT

Reason

Due to conflict of opinions between Officers and Ward Members.

The following items on the agenda detailed by the Enforcement Officers were determined as follows:

FARRINGDON
(Clyst Valley)

09/0061
(ENFORCEMENT)

Applicant:

Backline Logistic Support Services Ltd

Location:

Hill Barton Business Park, Sidmouth Road, Clyst St Mary
(Grid ref: 300323/90987)

Planning Breach:

Retention of four flood lights

RESOLVED

that the Chief Executive be authorised to take such legal action as is considered necessary to remedy the breach of planning control. It being expedient to do so because the existing outside illumination on the work place represents intrusive and excessive lighting that is harmful to the rural character of the area.

Period for compliance, 3 months.

SEATON
(Seaton)

86/01281
(Enforcement)

Applicant:

Mrs Webber

Location:

1 Westcliffe Terrace
(Grid Ref: SY24058994)

Planning Breach:

Insertion of a Skylight to the rear roof elevation without Listed Building Consent

RESOLVED

that the Head of Legal and Member Services be authorised to take the necessary legal action in the form of a Listed Building Enforcement Notice to secure the removal of the unauthorised rooflight, it being expedient to do so for the reasons stated in the Officer's report .

BROADHEMBURY
(Tale Vale)

7/52/04/P0012/00182
(Enforcement)

The Applicant:

Mr French

Location:

Devon Alpines
St Andrews Wood, Dulford
(Grid Ref: ST 06030520)

Planning Breach:

Retention of a mobile home

RESOLVED

that the Head of Legal and Member Services be granted delegated authority to instigate such legal action as necessary to secure the cessation of the breach of planning. It being expedient to do so as the siting of the mobile home is

considered contrary to policy. Period for compliance is 6 months.
