

**EAST DEVON DISTRICT  
COUNCIL**

**DEVELOPMENT CONTROL  
COMMITTEE**

**HELD ON 7 June 2005**

**SCHEDULE NUMBER 1- 2005/2006**

**APPLICATIONS DETERMINED BY THE COMMITTEE**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

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

BEER 04/2941/LBC  
(Beer and Branscombe)

Applicant: Mr & Mrs Fowle

Location: Bovey House, Beer

Proposal: Demolition of farm shed

**RESOLVED** That the application be referred to the Secretary of State with a recommendation from the Committee that it is minded to APPROVE the application

Members did not agree with the Officer's recommendation of REFUSAL as they felt that the Granary Building had a detrimental effect upon the character and appearance and the setting of Bovey House.

---

EXMOUTH 05/0563/FUL  
(Withycombe Raleigh)

Applicant: Mr Vigor

Location: 86 St Johns Road

Proposal: Erection of Chalet Bungalow

**RESOLVED** APPROVED subject to the following conditions:

**Conditions**

1. Unless otherwise agreed, in writing, by the Local Planning Authority, the proposed development shall be completed in all respects in accordance with drawing numbers 04/1226/Dwg1 Rev.J, 04/1226/Dwg2.Rev.G, 04/1226/Dwg3.Rev.F and 04/1226/Dwg4.Rev.J and the revised site location plan 1:500 received on the 20<sup>th</sup> April 2005 by the Local Planning Authority.  
(Reason: For the avoidance of doubt and to ensure the development is carried out as approved)
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 take place until a plan has been submitted to show the revised on-site parking arrangement for No. 86 St Johns Road and has been approved in writing by the Local Planning Authority and carried out in accordance with the approved details. (Reason: In the interests of highway safety)
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 extensions, windows, doors, rooflights or other openings other than those shown on the plans hereby permitted shall be formed in the south elevation of the building.  
(Reason - To protect the privacy of adjoining occupiers.)



SEATON  
(Seaton Town) 05/0804/OUT

Applicant: Mr D J Sandle

Location: 8 Honey Ditches Drive, Seaton

Proposal: Erection of one dwelling and new vehicular access.

**RESOLVED** APPROVED subject to the following conditions:

**Conditions**

1. Approval of the details of the siting, design and external appearance of the buildings, 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.
2. The design to be submitted shall be for a dwelling of single storey construction only. (Not a chalet bungalow).  
Reason - In the interest of the character and appearance of the locality.
3. The foul drainage shall be connected to the public sewer and shall be kept separate from clean surface and roof water.  
Reason - To avoid pollution of the environment.
4. No development shall take place until the applicant, their agent or successor in title has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation that has been submitted to and approved in writing by the local planning authority.  
Reason – In the interests of archaeology.
5. Provision shall be made for both the existing and proposed dwellings to have off-site parking spaces.

---

SIDMOUTH  
(Sidmouth Sidford) 05/1017/FUL

Applicant: Wainhomes (S W) Ltd

Location: 46 – 50 Woolbrook Road

Proposal: Development of two roof flats within modified approved shell  
(Amended scheme to planning permission 03/P0968)

**RESOLVED** Subject of the completion of a Section 106 Agreement to cover the following aspects, if necessary, i.e. education and open space contributions, it is recommended that the application be APPROVED subject to the following conditions:

**Conditions**

1. Notwithstanding the submitted details, the indicated car parking space adjacent to the Woolbrook stream shall be deleted from the development hereby permitted and replaced elsewhere on the site, in a position to be agreed with the local planning authority.

Reason – To ensure compliance with the policy of the Council on parking provision and to protect the environment of the bank adjacent to the Woolbrook stream and the amenity of the adjacent residents.

2. The development hereby permitted relates purely to the creation of two additional flats within the roof together with the provision of a parking space and in all other respects the development shall be carried out in accordance with planning permission 7/39/03/P0968/00578 relating to the development of 11 flats on the site.

Reason – To define the permission.

---

AXMOUTH 05/0458/FUL  
(Trinity)

Applicant: Mr & Mrs Spurgeon

Location: 28 Chapel Street  
Seaton

Proposal: Erection of Conservatory

**RESOLVED** APPROVED subject to the following condition:

**Condition**

Levels to be agreed.

---

UPLYME 05/0558/FUL  
(Trinity)

Applicant: T Clark

Location: Long Wood, St. Mary's Lane, Uplyme

Proposal: Erection of boundary fence (part retrospective).

**RESOLVED** **SPLIT DECISION**

- (1) APPROVED – fencing – no conditions.
- (2) REFUSE the gate on the following grounds:

**Reason**

The pair of wooden gates which have been erected, by virtue of their inappropriate appearance and position, will have an adverse impact on the character and appearance of the landscape which is within an Area of Outstanding Natural Beauty. The proposed development is therefore contrary to the provisions of Structure Plan Policy C03 and Policies EN1 (Development Within Areas of Outstanding Natural Beauty) and S4 (Countryside Protection) of the East Devon Local Plan Revised Deposit September 2003.

- (3) That the Head of Legal Services 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 of the adverse impact on the landscape.

**Compliance period 3 months.**

The Committee decided to approve the fencing against officer advice as it did not consider it sufficiently damaging to the landscape to warrant refusal.

---

The following applications were REFUSED  
for the reasons indicated

UPLYME 05/0558/FUL  
(Trinity)

Applicant: T Clark

Location: Long Wood, St. Mary's Lane, Uplyme

Proposal: Erection of boundary fence (part retrospective).

**RESOLVED**

**SPLIT DECISION**

- (1) APPROVED – fencing – no conditions.
- (2) REFUSE the gate on the following grounds:

**Reason**

The pair of wooden gates which have been erected, by virtue of their inappropriate appearance and position, will have an adverse impact on the character and appearance of the landscape which is within an Area of Outstanding Natural Beauty. The proposed development is therefore contrary to the provisions of Structure Plan Policy C03 and Policies EN1 (Development Within Areas of Outstanding Natural Beauty) and S4 (Countryside Protection) of the East Devon Local Plan Revised Deposit September 2003.

- (3) That the Head of Legal Services 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 of the adverse impact on the landscape.

**Compliance period 3 months.**

The Committee decided to approve the fencing against officer advice as it did not consider it sufficiently damaging to the landscape to warrant refusal.

---

CLYST HYDON 05/0690/OUT  
(Broadclyst)

Applicant: Mr & Mrs C B Jones

Location: The Old Orchard School Lane  
Cullompton

Proposal: New Dwelling

**RESOLVED**

REFUSED on the following grounds:

**Reasons**

The site, the subject of this application lies within an individual parcel of land which was included within the Built Up Area Boundary for Clyst Hydon in the Revised Deposit version of the East Devon Local Plan. This inclusion has attracted an objection, which is due to be heard at the Local Plan Inquiry in summer 2005. In accordance with PPS1 it is therefore considered that given the site-specific nature of the objection, the application is premature to the outcome of the Local Plan Inquiry and would significantly undermine the Local Plan process if approved at this stage.

ROCKBEARE  
(Broadclyst)                      05/0522/ADV  
(ADV)

Applicant:                              Devon Caravans Ltd

Location:                                London Road  
    Rockbeare  
    Exeter

Proposal:                                Erection of permanent sign  
    on front gate

**RESOLVED**                              REFUSED for the following reason:

**Reason**

1.        The proposed sign is intrusive due to its excessive length and detrimental to the visual character and amenity of the area. The sign is contrary to policies:-  
          D8 (Applications for Display of Advertisements) and Policy D9 (Advertisements within Areas of Special Control) of the emerging East Devon Local Plan Revised Deposit September 2003.
2.        That the Head of Legal and Member Services be authorised to take such legal action as is deemed necessary to secure the removal of the sign.

**Compliance period 1 month.**

---

BUDLEIGH SALTERTON                      05/0538/FUL

Applicant:                                Mr McCormick

Location:                                 10 Marine Parade

Proposal:                                 Retention of an extension to the existing terrace

**RESOLVED**                              (1)        REFUSED for the following reason:

**Reason**

The extended terrace, by reason of its discordant construction and material finish, fails to respect the character of this Victorian dwelling and detracts from the character and appearance of the Conservation Area. Therefore the proposal is contrary to the provisions of policies C06 (Quality of New development) and C07 (Historic Settlements and Buildings) of the Devon Structure Plan 2001-2016, policies D1 (Design and Local Distinctiveness), H7 (Residential Extensions) and EN16 (Preservation and Enhancement of Conservation Areas) of the emerging East Devon Local Plan and to guidance set out in PPG15 and PPS1 and the Budleigh Salterton Town Design Statement.

- (2)        That the Head of Legal Services 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 structure fails to preserve or enhance the character and appearance of the conservation area.

Compliance period -

---

EXMOUTH 05/0706/VAR  
(Exmouth Withycombe Raleigh)

Applicant: Mr Allen

Location: 97 Bradham Lane

Proposal: Retention of fence above retaining wall without complying with conditions 4 & 5 on planning permission 02/P1713

**RESOLVED** (1) REFUSED for the following reasons:

**Reasons**

The retention of the unauthorised fence results in a dominating and harsh boundary on this prominent site. This would be contrary to Policy C06 (Quality of New Development) of the Devon Structure Plan 2001 – 2011 and Policy D1 (Design & Local Distinctiveness) of the emerging East Devon Local Plan Revised Deposit 2003.

- (2) That the Head of Legal Services be authorised to take such legal proceedings as considered necessary to remove the unauthorised fence.

**Period of Compliance:**

1. Within 6 months of the date of this decision the height of the fence shall be reduced to a maximum of 1m above the level of the retaining wall. The fence shall be totally removed by end May 2008.
2. Details of hedging to be planted above the front retaining wall shall be submitted to the Local Planning Authority within 2 months of this decision. Once agreed the hedging must be planted in the 2005 – 2006 planting season and maintained thereafter for a period not less than 5 years.

---

SIDMOUTH 05/0269/FUL  
(Sidmouth Rural)

Applicant: Holiday Property Bond

Location: Lower Knapp Farm, Sidbury

Proposal: Erection of two holiday apartments

**RESOLVED** REFUSE for the following reasons:

**Reasons**

1. The proposed development relates to the provision of additional holiday accommodation in the open countryside which although providing an element of accommodation for disabled holidaymakers, would be contrary to policies S4 (Countryside Protection) and TO1 (Proposals for Holiday or Overnight Accommodation and Associated Facilities) of the East Devon Local Plan, Revised Deposit, September 2003 and Policy TO3 (Tourism Development in Rural Areas) of the Devon Structure Plan 2001 – 2016.

2. The proposed development would increase the size of the holiday complex and due to the location of the building, would be prominent to the detriment of the natural beauty of the landscape designed as an Area of Outstanding Natural Beauty and consequently would be contrary to Policy EN1 (Development in Areas of Outstanding Natural Beauty), of the East Devon Local Plan, Revised Deposit, September 2003 and Policy CO3 (Areas of Outstanding Natural Beauty) of the Devon Structure Plan 2001 – 2016.
-

The following applications were DEFERRED WITH AND  
TO RETURN TO DEVELOPMENT CONTROL  
COMMITTEE

Exmouth  
(Town) 05/0534/FUL

Applicant: Stag Inns Ltd

Location: Stag Inns Ltd, St Andrews Road

Proposal: Change of Use to Public House and alterations

**RESOLVED:** That the application be DEFERRED to await the response of the Crime  
Prevention Officer.

---

The following applications were referred to the  
PLANNING INSPECTION COMMITTEE

SIDMOUTH  
(Town) 05/0871/FUL

Applicant: St Johns School

Location: Broadway

Proposal: Proposed two new dwellings with detached garages

**RESOLVED** INSPECT

**Reason**

Concerns over design and relation to adjacent dwellings.

---

SEATON  
(Seaton Ward) 05/0755/VAR  
(VARIATION OF CONDITION)

Applicant: Coverdale Homes

Location: Kings Court, Harbour Road, Seaton

Proposal: Deletion of condition 3 relating to application no. 03/P1398 (obscure glazing)

**RESOLVED** INSPECT

**Reason**

Concerns over overlooking and practicality of enforcement.

---

DALWOOD  
(Newbridges) 05/0688/FUL

Applicant: Mr & Mrs Lawrence

Location: Andrewshayes Caravan Park

Proposal: Variation of condition 99/P0956 to allow the siting of touring caravans from the Thursday before Easter until the last day of September on part of field only.

**RESOLVED** INSPECT

**Reason**

Concerns over the visual effect of the caravans.

---

BROADHEMBURY                      05/0089/AGR  
(Tale Vale)

Applicant:                              Mr M A Bennett

Location:                                Land at Lane End Farm

Proposal:                                Agricultural building

**RESOLVED**                              INSPECT

**Reason**

Concerns over the siting and appearance in the AONB.

---

LYMPSTONE                              05/0830/LBC  
(Woodbury & Lympstone)              05/0779/FUL

Applicant:                                Drs P & E Acheson

Location:                                Rogues Roost, Longmeadow Road, Lympstone

Proposal:                                Creation of vehicular access involving alterations to walls, new walls  
and provision of rotating turntable.

**RESOLVED**                              INSPECT

**Reason**

Concerns over the impact on the Listed Building..

---