

**EAST DEVON DISTRICT  
COUNCIL**

**DEVELOPMENT CONTROL  
COMMITTEE**

**HELD ON 17 August 2004**

**SCHEDULE NUMBER 3A – 2004/2005**

**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) 7/75/04/P1633/00401  
(ADVERT)

Applicant: CWS Retail Financial Services

Location: CO-OP Market Town  
West Street

Proposal: 1 x Pole Sign

**RESOLVED** APPROVE

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OFFWELL 7/64/04/P1531/00121  
(Offwell Coly Valley)

Applicant: Mrs M Lemasurier

Location: Primrose Cottage  
Ramsden Lane  
Offwell

Proposal: Kitchen Extension & Erection of Garage

**RESOLVED** APPROVE subject to following condition:

**Conditions**

The materials to be used in the construction of the external surfaces of the rear extension hereby permitted shall match, in type, colour and texture of the existing building.

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HONITON 7/60/04/P1166/246  
(St Michaels Ward)

Applicant: Mr Greenwell

Location: 2 Manor Crescent  
Honiton

Proposal: Retention of Boundary Fencing

**RESOLVED** APPROVE subject to following grounds:

**Conditions**

1. Within one month of the date of the permission hereby granted, the fences hereby approved shall be stained or painted in accordance with details that shall previously have been submitted to, and agreed in writing by, the Local Planning Authority.  
(Reason – In the interests of safeguarding the character and appearance of the area.)
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OTTERY ST MARY                      7/45/04/P0455/01100  
(Rural Ward)

Applicant:                              Mr & Mrs E Precious

Location:                                Land adjoining Cuckoo Down, West Hill Road

Proposal:                                Retention of stables

**RESOLVED**                            APPROVE subject to following conditions:

**Conditions**

1.        The stables hereby permitted shall solely be used for the housing of horses as a private and ancillary use to the property known as Cuckoo Down, West Hill.  
Reason: To limit the use of the building hereby permitted and prevent unnecessary vehicle movements to and from the site.
  2.        Before any horses shall be housed within the stables hereby approved, full details of the drainage and method of handling foul waste shall be submitted to and approved in writing by the Local Planning Authority. The development shall then only be used in conjunction with the approved details  
Reason: To ensure that appropriate separation of drainage and disposal of foul waste takes place to limit any adverse impact on neighbouring properties.
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OTTERY ST MARY                      7/45/04/P1330/02180  
(Ottery St Mary Rural Ward)

Applicant:                              Mr & Mrs McCabe

Location:                                1 Cadhay Bungalow

Proposal:                                Replacement dwelling

**RESOLVED**                            APPROVE subject to following conditions:

**Conditions**

1.        The dwelling hereby approved shall be constructed of cob with a natural stone plinth. No variation shall be permitted without the express consent of the Local Planning Authority.  
Reason – To ensure that the dwelling respects the local tradition of vernacular architecture.
2.        The thatched roof hereby approved shall be carried out in the local traditional style, with a simple flush wrapover or butted ridge with no decoration.  
Reason – To ensure that the dwelling respects the local tradition of vernacular architecture.
3.        All new windows and doors indicated on the approved plan shall be made of timber only and shall be recessed into the wall.  
Reason – To ensure that the dwelling respects the local tradition of vernacular architecture.
4.        The finished floor level of the dwelling hereby approved shall not exceed those indicated on drawing no. 321/P/03.  
Reason – To ensure that the dwelling does not become over dominant in the landscape.
5.        The hedgebank and planting on the north and west boundaries shall be retained in its entirety. No section of bank shall be removed without the express consent of the Local Planning Authority.  
Reason – To retain the character and features of this countryside site.

6. Clean surface water shall be separated from foul drainage and disposed of to a BRE Digest 365 soakaway.  
Reason – To avoid pollution of the environment and flooding risk.
7. Any foul drainage system which discharges effluent shall be sited so as not to cause pollution to any watercourse or water source. Any effluent soakaway area shall be sited not less than 30 metres from the nearest watercourse not less than 50 metres from any other foul soakaway area and not less than 100 metres from the nearest source of potable water supply.  
(Reason - To avoid pollution of the environment and/or any water supply.)
8. Prior to the commencement of the development hereby permitted, the existing buildings on the site shall be demolished and the resulting materials shall be removed both from the site and from the other land in the appellant's ownership.  
(Reason - In the interest of the character and appearance of the locality.)
9. Any facilities for the storage and oils, fuels or chemicals shall be sited on impervious bases.  
Reason – To avoid pollution of the environment.
10. Details of construction of garage shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development hereby permitted.  
Reason – To protect the adjacent tree.

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OTTERY ST MARY  
(Town)

7/45/04/P1426/00924

Applicant:

Devon Partnership NHS Trust

Location:

74 Sandhill Street, Ottery St Mary

Proposal:

Change of Use from Healthcare to Residential

**RESOLVED**

APPROVE subject to following condition:

**Condition**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this decision.  
Reason - In accordance with the requirements of Section 91 of the Town & Country Planning Act 1990)  
(Councillors A R Giles and Ms S M Merritt declared a personal interest in the above application as they were both members of the Ottery St Mary Health Care Trust. Both remained in the Chamber to speak).

Sidmouth  
(Rural) 7/39/04/P1497/00617

Applicant: Mr and Mrs C Woodruff

Location: Sand Farm Cottage, Roncombe Lane, Sidbury

Proposal: Side extension and alterations.

**RESOLVED** APPROVE subject to following condition:

**Condition**

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.
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SIDMOUTH  
(Sidmouth Town) 7/39/04/P0086/00943.  
(FULL)

Applicant: Sid Valley Company

Location: Devonshire House, 15 Fore Street, Sidmouth

Proposal: Use of ground and first floor as restaurant/tea rooms and conversion of second and third floors to residential accommodation.

**RESOLVED** APPROVE subject to following conditions:

**Conditions**

1. The ground and first floors of the premises shall be used only as a restaurant/tea rooms and for no other purpose including any purpose within Class A3 of the schedule to the Town and Country Planning (Use Classes) Order 1987 or, in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.  
Reason – The Local Planning Authority is concerned other uses within Class A3 (such as public house/wine bar, are likely to seriously impact on nearby residents to the detriment of their amenity.
  2. No customer shall be permitted to be on the premises outside the hours of 8.00 am and 11.00 pm.  
Reason – In the interests of safeguarding the amenity of neighbouring residents.
  3. No Take-Away facilities shall be available from the restaurant/tea rooms hereby permitted.  
Reason – To protect the amenity of nearby residents.
  4. Before development is commenced details of ducting to dispense cooking smells shall be submitted to and approved by the Local Planning Authority. The Scheme approved shall be installed prior to the use being commenced.  
Reason – In the interests of the amenities of neighbouring residential properties.
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2. No development shall take place until details of the foul water drainage system and surface water drainage works have been submitted to and approved in writing by the local planning authority. The scheme shall be carried out in accordance with the approved details before any dwelling on the site is occupied.  
Reason - To avoid pollution of the environment and/or flooding.
  3. Before the development hereby permitted is occupied the vehicular access and the parking and turning area shall be in accordance with the details shown on plan 1/6 consolidated and thereby and permanently retained for such purposes.  
Reason – To ensure that adequate parking provision is made and to enable vehicles to leave in forward gear.
  4. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a double row native hedge on a bank along the whole length of the western boundary and between the vehicular access and the building on the southern boundary. Any plants which, within 5 years from the date of the substantial completion 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.
  5. Before development is commenced a detailed bat and barn owl survey of the buildings shall be carried out, the results of which, including any recommended mitigating measures, shall be submitted to the Local Planning for written approval prior to the commencement of any works.  
Reason – In the interests of wildlife conservation.
  6. The mitigating works proposed in the bat and owl survey shall be carried out prior to the first occupation of the development hereby approved.  
Reason – In order to maintain the integrity and form of the existing vehicular buildings and their setting within the Area of Outstanding Natural Beauty.
  7. PD01 – Notwithstanding the provisions of the Town & Country Planning (Permitted Development) Order 1995 (or any order revising or redrafting that Order with or without modification).  
No work within Schedule 2 part 1 Classes A or B for the enlargement, improvement or other alterations to the dwelling hereby permitted other than the works that do not materially affect the external appearance of the buildings shall be undertaken.  
Reason: The space available would not permit such additions without detriment to the character and appearance of the area or to the amenities of adjoining occupiers.
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Uplyme  
(Trinity) 7/89/04/P1397/00123

Applicant: Mr G & Mrs D Moss

Location: Brackenrigg, Cathole Lane

Proposal: Demolish existing garage and dwelling and erect replacement garage and dwelling

**RESOLVED** APPROVE subject to following conditions:

**Conditions**

1. 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.
  
  2. 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.
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The following applications were DEFERRED  
WITH POWER GIVEN TO APPROVE as set out

HAWKCHURCH  
(Axminster Rural) 7/82/04/P1437/00241

Applicant: Mr P Lee and Mr A Cooke  
Location: Scouse Farm (land near), Hawkchurch  
Proposal: Stables, tack room and formation of access

**RESOLVED** That the application be DEFERRED for discussion and negotiations with the applicant over the access arrangements with delegated authority given to the Head of Planning and Countryside services in consultation with the Chairman and Ward Members to APPROVE the application subject to the following conditions:

**Conditions**

1. The existing access to the field shall be permanently closed within three months of the new access hereby approved being opened and no building works shall commence until the new access is provided.  
Reason - In the interests of highway safety.
2. Any foul drainage system which discharges effluent shall be sited so as not to cause pollution to any watercourse or water source. Any effluent soakaway area shall be sited not less than 30 metres from the nearest watercourse not less than 50 metres from any other foul soakaway area and not less than 100 metres from the nearest source of potable water supply.  
Reason – To avoid pollution of the environment and/or any water supply.
3. 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 proposals shall include provision for the retention and protection of existing trees and other site features, tree and shrub planting, and any walling, fencing or other boundary treatment. The proposals shall include details of the existing and proposed levels of the site related to adjacent buildings and trees, measures to protect trees from fire, from the deposit of spoil, from trench or pipe runs for services or drains, and from the storage and processing of building materials. The fencing and other measures to protect the trees and hedges shall be carried out in full before other works are begun and shall be retained thereafter throughout the construction period. No alterations in ground levels or other excavations shall be undertaken on the site except in accordance with the approved scheme. The scheme shall also include details of a programme for its implementation.  
Reason – In the interests of preserving and enhancing the character and appearance of the area.
4. The landscaping scheme shall be implemented in accordance with the approved details and implementation programme. Any plants or trees (including those retained as part of the scheme) which, within five years from (the completion of the development hereby permitted) (the implementation of the change of use hereby permitted) (from the date of first occupation of the last property on the site to be occupied), die or become in the opinion of the Local Planning Authority seriously 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.

5. The stables hereby permitted shall not be used for commercial purposes.  
Reason-To protect the character of the area.
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The following applications were referred to the  
PLANNING INSPECTION COMMITTEE

OTTERY ST MARY                      7/45/04/P1154/02243  
(Ottery St Mary Rural)

Applicant:                              Mr & Mrs Moorhouse

Location:                                Lingfield,  
Higher Broadoak Road  
West Hill

Proposal:                                One dwelling with new access

**RESOLVED**                              INSPECT

**Reason**

Members felt the case was marginal and wished to view the site to gain more information.

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OTTERY ST MARY                      7/45/04/P1277/02319  
(Ottery St Mary)

Applicant:                                Mrs J McKay

Location:                                1 Sunnnyhill  
Ottery St Mary  
Devon

Proposal:                                Two Storey Extension

**RESOLVED**                              INSPECT

**Reason**

Many Members did not agree with the Officer' s recommendation of Refusal.

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SIDMOUTH                                7/39/03/P0740/3137  
(Rural Ward)

Applicant:                                Mr R Artingstall

Location:                                Coastlands, Cliff Road, Sidmouth

Proposal:                                Demolition of existing dwelling and erection of block of 5 flats.

**RESOLVED**                              INSPECT

**Reason**

Complex nature of application and its setting.

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