

**EAST DEVON DISTRICT  
COUNCIL**

**DEVELOPMENT CONTROL  
COMMITTEE**

**HELD ON 7 December 2004**

**SCHEDULE NUMBER 7 – 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

WOODBURY 04/2773  
(Woodbury & Lympstone)

Applicant: Internet Airworks Ltd

Location: South West Water Reservoir, Woodbury Road

Proposal: Wireless broadband access point on 10 metre high telegraph pole with integral point to point / point to multipoint transceivers and antennae of diminimus size

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

**Conditions**

1. Within three months of the installation no longer being required for telecommunication, the telegraph pole together with the associated antenna, transceivers and equipment cabin shall be dismantled and removed from the land.  
Reason – In the interests of the appearance and character of the area.
2. The equipment cabin, antennae and transceivers shall be painted in a matt finish and in a colour to match the natural wood finish of the telegraph pole.  
Reason – In the interests of the character and appearance of the area.

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WOODBURY 7/13/04/P1704/00158  
(Woodbury/Lympstone)

Applicant: A R Walker

Location: Castle Brake Holiday Park

Proposal: Creation of extra touring pitches (seasonal) & recreational area.

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

**Conditions**

1. The development hereby permitted shall be carried out in accordance with the original plans as amended by the applicant's plan and letter, received on 2 November 2004 and the letter received on the 24 September 2004, insofar as they relate to the siting and landscaping of the proposed extension for touring caravans and recreation area.  
(Reason – To define the permission.)
2. No touring caravan shall remain on the site extension hereby approved between the 15th January and the end of February in any one year.  
(Reason – To protect the character of the AONBs.)
3. The development hereby permitted shall be used for holiday purposes only and shall not be used for permanent residential accommodation.  
(Reason - The accommodation and/or site is unsuitable for permanent residential occupation.)

UPLYME  
(Trinity) 7/89/04/P2299/00406

Applicant: Miss J Raymond

Location: Hedgehog Corner, Burrowshot, Lyme Road

Proposal: Replacement garage

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

**Conditions**

1. Prior to the commencement of the development hereby permitted, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.  
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 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.
  3. 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 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.
  4. The building shall be used solely as a garage and store only. No other use shall be permitted without the prior agreement of the Local Planning Authority.
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TRINITY  
(UPLYME) 04/2583/FUL

Applicant: Vodaphone Limited

Location: St Mary's, off Trinity Hill Road, Axminster

Proposal: Telecommunications Equipment

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

**Conditions**

1. Within two months of the cessation of use of the installation for telecommunication purposes, the equipment shall be dismantled and removed from the land.  
Reason – In the interests of the visual amenity of the area.

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SIDMOUTH 7/39/04/P0384/3217  
(Sidmouth Sidford)

Applicant: East Devon District Council

Location: Land in rear of 34 – 35 Manstone Avenue

Proposal: Erection of two bungalows

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

**Conditions**

1. Approval of the details of the siting design and external appearance of the buildings, 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.
2. 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, 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.
3. No development shall take place until details of fencing, walling or other boundary treatment have been submitted to and approved in writing by the local planning authority. The dwellings hereby permitted shall not be occupied until the fencing, walling or other boundary treatment have been completed in accordance with the approved details.  
Reason - In the interests of preserving and enhancing the character and appearance of the area and/or protecting the privacy of local residents.
4. 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.

5. Prior to the commencement of the development hereby permitted satisfactory details as to the means of access to the site and parking provision within the site shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details. Thereafter the parking spaces shall be kept free of obstruction and available for use for this purpose at all times.

Reason – In the interests of highway safety, and to ensure that adequate parking provision remains available.

6. The development hereby permitted shall take the form of single storey dwellings (and for the avoidance of doubt chalet type bungalows are not regarded as single storey dwellings).

Reason – To ensure that the development does not adversely affect the amenities and privacy of neighbouring residents.

7. 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 development of the types described in Classes A, B, C and E of Part 1 of Schedule 2 to the Order shall be carried out without a grant of express planning permission from the Local Planning Authority.

Reason – To enable the Local Planning Authority to retain control over developments that would not ordinarily require a grant of express planning permission in the interests of preventing overdevelopment of the site and safeguarding the privacy and amenities of neighbouring properties.

8. 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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SIDMOUTH  
(Sidmouth Sidford)

7/39/03/P2519/03896

Applicant: Mr P Hargreaves

Location: Mill House, (Land south of) England's Close, Sidford

Proposal: Erection of 7 dwellings with alterations to vehicular and pedestrian access.

**RESOLVED**

that subject to the completion of a Section 106 Agreement to cover public open space, outline planning permission be APPROVED subject to the following conditions:

**Conditions**

1. Approval of the details of the siting, design and external appearance of the buildings, and the means of access thereto (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. 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.  
Reason - In accordance with the requirements of Section 92 of the Town & Country Planning Act 1990.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
Reason - In accordance with the requirements of Section 92 of the Town & Country Planning Act 1990.
4. No development shall take place until details of the 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.
5. 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.
6. No dwelling shall be occupied until England's Close (along the site frontage) has been widened to a minimum of 4.8 metres and provided with a 1.8 metre footway and vehicular turning area in accordance with the detailed plans which shall have been submitted to and approved by the Local Planning Authority prior to the commencement of development.  
Reason – In the interests of highway safety.
7. Details of access and car parking with appropriate visibility splays and means of disposal of surface water shall have been submitted to and approved by the Local Planning Authority prior to the commencement of development. Such car parking approved shall thereafter remain available for the parking of vehicles.  
Reason – In the interests of achieving an appropriate provision of car parking and in the interests of highway safety.
8. Before development is commenced details of all boundary treatment shall be submitted to and approved by the Local Planning Authority and such boundary treatment approved shall be provided before the first occupation of the dwelling to which it relates.  
Reason – In the interests of visual amenity.
9. 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, shrub and hedgerow planting and retention of existing trees and the Beech hedgerow fronting Laundry Lane. The landscaping scheme shall be implemented in accordance with the approved details within one year of the substantial completion of the buildings. Any plants or trees which, within five years from the date of the substantial completion of the buildings 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.
10. Details of the method of protection during building works of the retained trees shall be submitted to and approved by the Local Planning Authority before development is commenced.  
Reason – To ensure the protection of any retained trees in the interests of amenity.

11. Prior to the commencement of the development hereby permitted, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.  
Reason - To ensure that the materials are sympathetic to the character and appearance of the area.
12. The development shall be carried out in strict accordance with the conclusions to the Flood Risk Assessment dated 15 July 2004.  
Reason – In the interests of minimising flood risk.
13. Detailed cross-sections indicating the site levels and the proposed development in relation to adjoining dwellings in England's Close shall be submitted to and approved by the Local Planning Authority before development is commenced.  
Reason – To ensure the development relates satisfactorily to its surroundings.

Note to applicant

Before the submission of reserved matters you are required to submit a design brief showing the intended built form and landscaped framework of the development and indicating the scale and massing of the proposed buildings and their relationship with the existing adjoining buildings.

Whilst permission has been granted for 7 dwellings the Local Planning Authority envisages on this sensitive site a development of small linked dwellings in vernacular scale, form and materials which create a sense of place alongside Mill House and its adjacent buildings and the open countryside.

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OTTERTON  
(Raleigh)

7/38/04/P1213/00075

Applicant:

FWS Carter and Sons Ltd

Location:

Land Adjacent to North Star, Ottery Street, Otterton

Proposal:

Change of use to B1 (Light Industrial) and elevational alterations to barn

**RESOLVED**

APPROVED subject to the following conditions:

**Conditions**

1. The existing building to be converted to office space, as shown on the approved plans, shall be ancillary to the B1 (Light Industrial) use of the site, and shall not be used separately.  
(Reason - To ensure the main use of the site is B1 and to limit the traffic attracted to the site.)
2. The south east hedgebank and the vegetation thereon shall be retained to a height of no less than 3 metres in height.  
(Reason - To protect the rural character of the area.)
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 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 development. Any plants or trees which, within five 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.)
4. Prior to the commencement of the development hereby approved the widening of the access shall be carried out in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The plans and details submitted shall include the method of protecting the watercourse affected.  
(Reason - In the interests of providing a suitably constructed access and to ensure that the capacity of the watercourse is not impaired.)
  5. Prior to the commencement of the development hereby approved a detailed site plan shall be submitted indicating parking and turning areas. The hard surfaced yard area shall be permanently kept free from obstruction for the parking and turning of vehicles. (Reason - To ensure suitable on-site provision for parking and turning of vehicles attracted to the site.)
  6. Prior to the commencement of the development hereby approved details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority.  
(Reason- In the interest of ensuring light pollution is mitigated against.)
  7. Prior to the commencement of the development hereby approved details of the finish colour of the building to be re-clad shall be submitted to and approved in writing by the Local Planning Authority.  
(Reason- To ensure the finish colour of the building is acceptable for this site within the East Devon Area of Outstanding Natural Beauty.)
  8. Hours of work hereby permitted are: 7.00 am to 7.00 pm Monday to Friday, 7 am to 1.00 pm Saturday and no work on a Sunday and/or Bank Holiday.
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OTTERY ST MARY                      7/54/04/P2327/02273  
(Town Ward)

Applicant:                              Mr & Mrs Layzell

Location:                                20 Raleigh Road

Proposal:                                Loft conversion and erection of extension

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

**Conditions**

1. The windows formed above eaves within the east elevation of the dwelling shall be fitted within obscured glazing only and shall be maintained as such in perpetuity.  
Reason: In the interests of the amenity of the neighbouring properties.
  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.
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UPOTTERY  
(Otterhead) 7/69/04/P1672/00305

Applicant: Acorn Construction Ltd.

Location: Land Adjacent, Plumtree Cottage, Rawridge

Proposal: New house

**RESOLVED** Members APPROVED the following RESERVED MATTERS proposed in the application:

**Conditions**

- a. Design and external appearance.
- b. Siting.
- c. Access.
- d. Landscaping.

This Reserved Matters application numbered as shown above is made pursuant to the Outline planning permission reference no. 7/69/03/P1376/00305 allowed on appeal on 25.02.04.

**Conditions to be complied with:-**

- (a). The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Other Conditions to be attached

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. All stonework/brickwork pointing and rendering shall be carried out using a lime based mix. The colour, texture, type of joint and finish shall in pointing closely match original work and a small trial area shall be prepared in a non-prominent location for inspection and approval by the Local Planning Authority prior to the commencement of works.  
Reason – To ensure the works are sympathetic to the character and appearance of the surrounding area.
3. Samples of the proposed clay tiles to be used in the roofing of the lean-to extension shall be submitted to and approved in writing by the Local Planning Authority, and no other material shall be used without consent.  
Reason – In the interests of the character and appearance of the building and surrounding area.
4. The rooflights indicated on the approved plans shall be of conservation design flush with the roof.  
Reason – To ensure the works are sympathetic to the character and appearance of the surrounding area.
5. All new windows and doors indicated on the approved plan shall be made of timber only and no other materials and be painted, unless the written consent of the Local Planning Authority is obtained to any variation.

Reason – To ensure the works are sympathetic to the character and appearance of the surrounding area.

6. The thatching hereby approved shall be carried out in the local traditional style, with a simple flush wrap over or butted ridge with no decoration, and rounded eaves.

Reason – To ensure the works are sympathetic to the character and appearance of the surrounding area.

7. 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, die, or become 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.

8. No development shall take place until the tree protective fencing as detailed on the approved drawing has been undertaken and this shall thereafter be retained until construction works are complete.

Reason - To protect the trees from damage.

9. The floor level shall be raised by 0.5 metres from the proposal, as recommended by the Environment Agency.

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NEWTON POPPLEFORD 7/38/04/P2463/00045  
(Newton Poppleford/  
Harpford)

Applicant: D Fisher & S Merritt

Location: Venn Ottery Barton

Proposal: Replace five softwood windows with hardwood windows.

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

**Conditions**

1. The replacement windows hereby approved shall be fitted flush within their frames and shall not have a section overlapping the mullions.  
(Reason -To help retain the architectural integrity of the building.)
2. The windows hereby approved shall be painted to match the colour of the windows within the main dwelling known as Venn Ottery Barton.  
(Reason -To retain a uniformity and character of the listed building.)

HONITON  
(St. Pauls) 04/2518

Applicant: Mr R Taylor and Mrs J Ward

Location: 39 Rosewell Close

Proposal: Retention of timber garden fence.

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

**Conditions**

1. Within 6 months of the date of this permission the fence hereby approved shall be stained a dark green in colour in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.  
Reason – In the interests of the character and appearance of the surrounding area.

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EXMOUTH 7/01/04/P0767/03469  
Exmouth Town

Applicant: East Devon District Council

Location: Imperial Recreation Ground, The Royal Avenue, Exmouth.

Proposal: Landfill Remediation to recreation ground and foreshore.

**Recommendation** APPROVE Options D, F and H subject to the following conditions:-

**Recommended Conditions**

1. Prior to the submission of detailed design drawings data relating to groundwater quality and quantity in the landfill shall be collected and provided to the Local Planning Authority. Once collected, this data shall be utilised to provide an assessment of potential impacts on the Exe estuary from contaminated groundwater in the site, and this assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works.  
(Reason - To ensure the protection of the water environment).
2. The result of the submitted and approved assessment into potential impacts from contaminated groundwater in the site shall be used to make final decisions on the appropriateness of either a permeable or impermeable barrier as part of the remediation scheme hereby approved.  
(Reason - To ensure that the remediation scheme does not have a negative impact on the water environment).
3. Prior to the commencement of works, and following the completion of the assessment into potential impacts from contaminated groundwater in the site, detailed design proposals and drawings indicating all elements of the development shall be submitted to and approved in writing by the Local Planning Authority.  
(Reason - For the avoidance of doubt and to ensure that the remediation scheme hereby approved does not have a negative impact on the environment).
4. 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



## Conditions

1. The development hereby permitted shall be carried out in accordance with the original plans as amended by plan nos. 1323 6.0B, 13236.1B, 1323 6.8B, 1323 6.9.1B, 1323 6.9.2B.  
(Reason – In the interests of the character of appearance of the listed building.)
  2. All rendering shall be carried out using a lime based mix. The colour, texture, type of joint and finish shall in pointing closely match original work, and a small trial area shall be prepared in a non-prominent location for inspection and approval by the Local Planning Authority prior to commencement of the works.  
(Reason – In the interests of the character of appearance of the listed building.)
  3. There should be no bell render stops or metal beading to the proposed rendered areas.  
(Reason – In the interests of the character of appearance of the listed building.)
  4. Samples of the proposed roofing materials including slates or tiles and ridge shall be submitted to and approved in writing by the Council, and no other materials shall be used without consent.  
(Reason – In the interests of the character of appearance of the listed building.)
  5. All new barge boards, soffit boards, fascia boards and external cladding shall be in timber only and no other materials and shall be painted, unless the written consent of this Council is given to any variation.  
(Reason – In the interests of the character of appearance of the listed building.)
  6. Replacement rain water goods should replicate detailing and materials of existing original feature.  
(Reason – In the interests of the character of appearance of the listed building.)
  7. In re-roofing where ventilation is necessary, if possible, ventilate at eaves level, if not then use a conservation type roof ventilator flush with the roof.  
(Reason – In the interests of the character of appearance of the listed building.)
  8. All new windows and doors indicated on the approved plan shall be made of timber only and no other materials, and be painted, unless the written consent of the Local Planning Authority is obtained to any variation.  
(Reason – In the interests of the character of appearance of the listed building.)
  9. Before the proposed extension is occupied the existing sun roof shall be modified in accordance with the submitted plans.  
(Reason – In the interests of the character of appearance of the listed building.)
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The following applications were REFUSED for the reasons indicated

WHIMPLE 7/48/04/P0809/00033

Applicant: Podbury and Sons

Location: Willow View Park, Straightway Head, Whimble

Proposal: Vary Conditions on Approval 80/P1817 to allow the siting of 18 additional Mobile Homes and provision of two amenity areas.

**RESOLVED** REFUSED for the following reasons:

**Reason**

1. The site of the proposed development is outside any Built Up Area Boundary in open countryside where residential development is strictly controlled. Proposals will only be acceptable in such a location if a policy explicitly permits it, and in this instance there is no justification for this development that would deviate from established development patterns, be visually intrusive, and be in contrary to open countryside protection policies. There is no policy or guidance which explicitly permits this development and it is therefore contrary to Policies ST1, ST5, ST16 of the Devon Structure Plan 2001-2016, Policies S4, D1 of the emerging East Devon Local Plan (Revised Deposit) September 2003, and advice contained in PPS7 and PPG3.
2. The proposed development would be located where it is remote from adequate services, employment, education, public transport, etc. and would therefore increase the need for travel by private vehicles contrary to Policy ST1 and TR2 of the Devon Structure Plan 2001-2016, Policy TA1 of the emerging East Devon Local Plan (Revised Deposit) September 2003, and advice contained in PPG13.
3. The proposal will result in a loss of employment land and is therefore contrary to Policy ST20 of the Devon Structure Plan 2001-2016 and Policy E3 of the emerging East Devon Local Plan (Revised Deposit) September 2003.
4. No Flood Risk Assessment has been submitted. The proposal is therefore contrary to Policy CO13 of the Devon Structure Plan 2001-2016 and Policy EN20 of the emerging East Devon Local Plan (Revised Deposit) September 2003.

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BROADHEMBURY 04/2587/LBC  
(Tale Vale)

Applicant: Mr A Hall

Location: Bakers Dairy Cottage  
Ash Cross  
Dulford

Proposal: Re-roof porch in thatch, erect satellite dish on chimney.

**RESOLVED** that the application be REFUSED:

**Reasons**

1. Reason: The satellite dish is mounted in a prominent position and the thatching of the porch are both detrimental to the special architectural and historic character of this Grade II\* Listed Building. Such alterations result in an incremental loss of quality and harm the listed building and the setting of the adjacent listed building. Retention of these alterations would be contrary to guidance in PPG15 (Planning & the Historic Environment) and Policy C07 (Historic Settlements & Buildings) of the Devon Structure Plan 2001 – 2016 and emerging Policy EN13 (Extension, Alteration and Change of Use of Buildings of Special Architectural & Historic Interest) of the East Devon Local Plan Revised Deposit 2003.
2. that the Chief Executive be authorised to take such legal action as is considered necessary to remedy the alleged breach of Listed Building Consent. It being expedient to do so because the alterations harm the special character of this Grade II\* Listed Building.

### **Compliance period**

1. Satellite dish 28 days
2. Re-roofing of porch 6 months.

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BUCKERELL  
(Feniton & Buckerell)

7/53/04/P2306/00067

Applicant: D Galling

Location: Marsh Dairy Cottages, Buckerell  
(NGR: 13070058)

Proposal: Revised position of first floor window on front elevation

**RESOLVED** REFUSED for the following reasons:

### **Reason**

1. The existing first floor window in the north elevation of the extension to Marsh Dairy Cottage has a detrimental impact on the privacy and amenity of the occupiers of the adjacent property, Wallnook Cottage and its proposed repositioning by only 0.6 metres is insufficient to overcome the adverse impact on the amenity of the neighbouring residents. The proposed development is therefore contrary to the provisions of Policies D1 (Design and Local Distinctiveness) and H9 (Extensions to Dwellings in the Open Countryside) of the East Devon Local Plan Revised Deposit September 2003.
2. That the Chief Executive be authorised to proceed with the authorised enforcement action confirmed by the Inspector and held in abeyance pending the determination of this application.

### **Compliance period 3 months.**

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COLYTON  
(Coly Valley Ward)

7/79/04/P2172/00435

Applicant: Mr & Mrs M J Holes

Location: Stafford Barton House, Swan Hill Road

Proposal: Retention of Shed/Workshop/Hobbies Room

**RESOLVED** REFUSED for the following reasons:

**Reasons**

1. The shed, by virtue of its size, design, construction and prominent location, is an intrusive addition to the garden of a Grade II Listed Building within a conservation area and is contrary to the provisions of Structure Plan Policy CO7 (Historic Settlements and Buildings) and Policies EN13 (Extension, Alteration or Change of Use of Buildings of Special Architectural and Historic Interest) and EN16 (Preservation and Enhancement of Conservation Areas) of the East Devon Local Plan Revised Deposit September 2003.
2. that the Chief Executive be authorised to take such legal action as is considered necessary to remedy the alleged breaches of planning control, it being expedient to do so because of the detrimental impact of the unauthorised development on the setting of a listed building and the character and appearance of a conservation area. These breaches are the shed and associated fencing which has been recently erected.

**Compliance period 3 months**

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BRANSCOMBE                      7/41/04/P2054/00239/LBC  
(Beer & Branscombe)        7/41/04/P2113/00239/LBC

Applicant:                        Mrs A Oldfield

Location:                         Dove Cottage, 1 Bank Cottages  
(NGR: 20018869)

Proposal:                         Internal alterations and erection of glazed roof

**RESOLVED**                      1)        REFUSED 04/P2054 for the following reasons:

**Reasons**

Reason for Refusal (04/P2054)

1. The proposed complete removal of the first floor plan would be detrimental to the intrinsic character of the listed building contrary to Policies CO7 of the Devon Structure Plan and EN13 of the East Devon Local Plan and Government guidance as set out in PPG15.
2. The proposed removal of the ceiling to expose the roof would be detrimental to the character of the listed building contrary to Policies CO7 of the Devon Structure Plan and EN13 of the East Devon Local Plan and Government guidance as set out in PPG15.
3. The proposed alterations would cumulatively be detrimental the special character of the vernacular cottage contrary to Policies CO7 of the Devon Structure Plan and EN13 of the East Devon Local Plan and Government guidance as set out in PPG15.

2)        REFUSED 04/P2113 for the following reasons:

Reason for Refusal (04/P2113)

1. By virtue of its form and design the proposed conservatory would be detrimental to the character of the listed building and contrary to Policies CO7 of the Devon Structure Plan and EN13 of the East Devon Local Plan and Government guidance set out in PPG15.
- 3)        that the Chief Executive be authorised to instigate legal proceedings to secure the re-instatement of all internal walls and the removal of the glazed roof it being expedient to do so in the interests of the appearance and character of this Listed Building.

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

SIDMOUTH  
(Sidmouth Town) 04/2532

Applicant: Hechen Homes Ltd

Location: Peak Hill Reservoir, Cotmaton Road

Proposal: Erection of three detached dwellings with associated access and parking

**RESOLVED** that the application be DEFERRED for negotiations with the applicant to achieve an alternative and more acceptable design. If successful, the Head of Planning and Countryside Services in consultation with the Chairman and Ward Members be given delegated power to APPROVE the application, subject to conditions to include the following:

**Conditions**

1. Prior to the commencement of the development hereby permitted, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.  
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 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.
3. 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, 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.
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 works within Schedule 2 Part 1 Classes A, B, C or D for the enlargement, improvement or other alterations to the dwellings hereby permitted, other than 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.

5. 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 fences, gates or walls shall be erected on the site except for those fences, gates or walls agreed as part of the required landscaping.  
Reason – To retain the open character of the landscape setting of the site.
  
  6. Before any development commences details of final finished floor levels and finished ground levels in relation to a fixed datum 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 adequate details of levels are available in the interest of the character and appearance of the locality.
  
  7. No development shall take place until details of the 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.
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The following applications were referred to the  
PLANNING INSPECTION COMMITTEE

SEATON 7/86/04/P2104/01246  
Applicant: Mr & Mrs D Cottam  
Location: 4 Tolman Crescent, Seaton  
Proposal: Erection of Glazed Conservatory  
**RESOLVED** INSPECT

**Reason**

Members did not agree with Officers recommendation.

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LUPPITT 04/2550/FUL  
(OTTERHEAD WARD)  
Applicant: Mr P Kirby  
Primrose Farm, Upottery  
Proposal: Conversion of Farm Building into Three Holiday Apartments  
**RESOLVED** INSPECT

**Reason**

Members felt the complex application needed a site visit.

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EXMOUTH 04/2547/FUL  
(Exmouth Withycombe  
Raleigh)  
Applicant: Devon & Cornwall Housing Association  
Location: Land adjacent 189 Withycombe Village Road,  
Exmouth  
Proposal: 7 Flats (Affordable Housing for Rent)  
**RESOLVED** INSPECT

**Reason**

Members were concerned about parking issues, proximity to other dwellings and impact on the area.

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EXMOUTH  
(Exmouth Town) 7/01/04/P2409/04252

Applicant: Mr I N Kirk

Location: 2 New North Road

Proposal: Retention of wooden balcony

**RESOLVED** INSPECT

**Reason**

Complex nature of application.

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COLYTON  
(Coly Valley) 04/2687/FUL

Applicant: Mr J Channon

Location: Eastern View  
South Street  
Colyton

Proposal: Revised scheme to approved application for detached garage.

**RESOLVED** INSPECT

**Reason**

Complex nature of the application.

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The Committee was advised that the following applications had been WITHDRAWN

WIDWORTHY  
(Coly Valley Ward)

7/70/03/P3062/115

Applicant:

Mr & Mrs R Thomas

Location:

The Old Rectory, The Old Coach House

Proposal:

Conversion of redundant coach house and part farm buildings to single dwelling

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