

**EAST DEVON DISTRICT
COUNCIL**

**DEVELOPMENT MANAGEMENT
COMMITTEE**

HELD ON Tuesday 25 August 2009

SCHEDULE NUMBER 4 – 2009/2010

APPLICATIONS DETERMINED BY THE COMMITTEE

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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

BUDLEIGH SALTERTON
(Budleigh) 08/2711/FUL

Applicant: Mr & Mrs Cartwright

Location: 23 Northview Road
Budleigh Salterton

Proposal: Erection of dwelling and garage, demolition of existing garage,
formation of new vehicular access onto highway

RESOLVED APPROVED subject to compliance with the Unilateral Undertaking signed and dated 16 October 2008 and the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. Prior to the commencement of the development hereby approved the position of the proposed rainwater harvesting system and associated soakaway systems (as specified in the agents letter received 24 April 2009) shall be illustrated on a block plan (scale 1:500) to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
(Reason – To ensure a satisfactory level of water percolation into the surrounding ground, which would not detrimentally impact on ground stability).
3. 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 shall be undertaken within Schedule 2 Part 1, Class A and E for the enlargement, improvement or other alterations to the dwelling hereby permitted, other than works that do not materially affect the external appearance of the buildings, shall be undertaken.
(Reason – To protect the visual amenity of the designated landscape, to protect the amenity of the adjoining property and to retain control over ground stability).
4. Prior to the commencement of the development hereby approved samples of the external materials to be used in the construction of the dwellinghouse, including details of materials and finishes for the east boundary shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with the agreed details.
(Reason – To protect the visual amenity of the designated landscape).
5. Prior to the commencement of the development hereby approved a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. If necessary the planting scheme shall be amended and resubmitted as required by the Local Planning Authority within 21 days of any such request until a scheme is agreed. The proposal shall indicate the species and size of all tree/shrubs and screening and the position in which they shall be planted. The landscaping and planting scheme shall be carried out and completed during the next planting season following the substantial completion of the development hereby approved or during such later planting season as may be agreed in writing with the Local Planning Authority. Any tree or shrub damaged or becoming seriously diseased within five years from the date on which the scheme shall have been completed shall be replaced with the same or similar species of tree or shrub. For the purposes of this condition the expression 'planting season' shall mean the period between 15 September and 15 March.

(Reason - To protect the visual amenity of the designated landscape).

Reasons for approval

The proposal complies with the Devon Structure Plan 2001-2016 Policies CO3 (Areas of Outstanding Natural Beauty), CO5 (Coastal Preservation Area), CO6 (Quality of New Development) and TR10 (Strategic Road Network and Roadside Service Areas).

The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies S4 (Development Within Built-up Area Boundaries), D1 (Design and Local Distinctiveness), EN1 (Developments Affecting Areas of Outstanding Natural Beauty), EN4 (Nationally Important Sites - including Sites of Special Scientific Interest), EN6 (Wildlife habitats and Features), EN20 (River and Coastal Flooding), EN21 (Surface Run-Off Implications of New Development), TA9 (Parking Provision TA7 (Adequacy of Road Network and Site Access) and RE3 (Open Space Provision in New Housing Developments).

The proposal does not adversely affect the privacy and/or amenity of neighbouring properties. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.

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

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

The proposal does not harm or give rise to a perceived threat from important trees on or adjacent to the site.

The proposal is contained within the defined built-up area boundary of the settlement.

BUDLEIGH SALTERTON
(Budleigh)

09/1231/FUL

Applicant:

Mr and Mrs G Maddaford

Location:

96A Granary Lane
Budleigh Salterton

Proposal:

Proposed extensions and alterations

RESOLVED

APPROVED subject to the following conditions:

****** Central Team to provide**

BROADCLYST
(Rockbeare)

09/0222/FUL

Applicant:

Mr G Holding

Location:

The Firs, Rockbeare

Proposal:

Demolition of existing bungalow and construction of 3 no. two storey dwellings

RESOLVED

APPROVED subject to the submitted Unilateral Undertaking (as an agreement under Section 106 of the Town and Country Planning Act 1990) which secures:

- a public open space contribution

and the following planning conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. 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 submitted plans, if a bin storage unit is to be provided it shall be sited away from the side boundary to allow additional landscaping to be planted on the boundary. A revised site plan and landscaping scheme shall be submitted to and agreed in writing with the Local Planning Authority.
(Reason - To ensure that the bin storage area is unduly prominent within the street scene and enable screen planting to be provided).
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification) no windows, doors, roof lights or other openings other than those shown on the plans hereby permitted shall be formed at first floor level or above in the rear elevations of the dwellings hereby permitted.
(Reason - To protect the privacy of adjoining occupiers).
5. Before the dwellings hereby permitted are occupied the first floor windows on the side elevations shall have been glazed with obscure glass and the obscure glazing of these windows shall thereafter be retained at all times.
(Reason - To protect the privacy of adjoining occupiers).
6. The visibility splay shown on the approved drawing shall be kept permanently clear of all obstructions greater than 900 mm high.
(Reason - In the interests of highway safety).

7. Before the driveway hereby permitted is brought into use a pedestrian visibility splay measuring 2 metres by 2 metres shall be provided on the west side of the junction between the driveway and the rear of the footway, and thereafter this area shall be kept clear of all obstructions more than 600 mm above ground level.
(Reason - To provide adequate visibility for and of pedestrians in the interests of highway safety).

Reasons for approval

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

The proposal complies with the Adopted East Devon Local Plan 1995-2011 policies D1 (Design and Local Distinctiveness), PUA1 (New Community) and TA7 (Adequacy of Road network and site Access)

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

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

The following applications were DEFERRED for the reasons indicated

BUDLEIGH SALTERTON
(Budleigh Salterton)

08/2537/FUL

Applicant:

Mr B Hushon

Location:

Longboat Cafe
Marine Parade
Budleigh Salterton
EX9 6HZ

Proposal:

Demolition of existing cafe/store and construction of new
cafe/restaurant facility

RESOLVED

To accept the principle of the redevelopment of the Longboat Cafe and the scale, mass and design of the proposed scheme, but to DEFER for further consideration by the Development Management Committee, matters of detail relating to the roof of the building, materials and the glazing, contained within the proposed conditions listed below and to secure renewable energy generation from the building.

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. Before the development hereby permitted 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, (including all glazing throughout), and roof of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall only 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. Prior to the commencement of the development hereby approved full detailed large scale (i.e. 1:5 for smaller areas and 1:20 for larger areas) typical elevation and associated working drawings of the details listed in the schedule below shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be constructed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.
 - a) The proposed aluminium roofing incorporating, where proposed, all gullies, guttering, rainwater goods, flashings and soffits.
 - b) Any extraction ducting and mechanical vents or grills, in addition to the details required to be submitted by condition 5 below.
 - c) Soffits and underside details of all of the balconies throughout the development, together with hand rails and supporting framework.
 - d) All modes of openings for the windows on the elevations leading out onto the first floor terraces and across the balcony along the southern side of the building.
(Reason -To ensure that the details of the design are acceptable to the Local Planning Authority in the interests of the visual amenities of the locality).
4. Prior to the commencement of development full details of all internal and external lighting shall be submitted for the written approval of the Local Planning Authority. Such details shall include the siting and design of any light sources and levels of illumination from the proposed sources. The building shall thereafter only be internally and externally illuminated in

accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

(Reason - In the interests of the character and amenities of the locality).

5. Before any work upon the proposed replacement building is first commenced, full details of the fume extractor system to be installed in the kitchen, including the precise location of the system and all ducting, fully detailed plans, manufacturers specification and noise data shall be submitted to and approved in writing by the local planning authority. The system shall thereafter be installed and permanently operated and maintained in accordance with the approved details.

(Reason – To safeguard the satisfactory appearance of the building and the visual and environmental quality of the surrounding area).

Reasons for approval in principle

The proposal complies with the Devon Structure Plan 2001-2016 Policies CO3 (Areas of Outstanding Natural Beauty), CO6 (Quality of New Development) and CO7 (Historic Settlements and Buildings).

The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies S4 (Development Within Built-up Area Boundaries), D1 (Design and Local Distinctiveness), EN4 (Nationally Important Sites – including Sites of Special Scientific Interest), EN1 (Developments Affecting Areas of Outstanding Natural Beauty) and EN11 (Preservation and Enhancement of Conservation Areas).

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

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

DUNKESWELL
(Dunkeswell)

09/F0113
(Enforcement)

Land Owner:

Mr S Smart

Location:

The Old Forge, Dunkeswell

Alleged Breach of
Planning Control:

Replacement windows

RESOLVED:

that the Head of Legal and Member Services be authorised to instigate such legal action as necessary to secure the removal of the existing glazing panels and their replacement with alternative glazed units to be agreed with the Council.

Period for compliance: Until the end of March 2012.
