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EAST DEVON DISTRICT COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

HELD ON Tuesday 20 October 2009

SCHEDULE NUMBER 6 - 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

WHIMPLE
(Whimple) 09/1549/MFUL

Applicant: Mr A Marshall

Location: Land East Of Piccadilly Copse, Strete Raleigh, Whimble

Proposal: Construction of crematorium with associated landscaping, access and car parking (enlarged and amended scheme)

RESOLVED APPROVED with conditions delegated to Head of Planning and Countryside. Conditions to include the following:

1. Access works including the safety audit as required by the Highway Authority.
2. Any other highway conditions as required including any off-site works.
3. Landscaping scheme including a detailed hedgerow re-planting scheme.
4. Landscaping management plan for long term management of landscaping on the site.
5. Materials to be agreed.
6. All levels to be agreed.
7. All hard surfaced areas works, materials to be agreed (Members expressed a preference for grasscrete to be used wherever possible for parking and roads.
8. Drainage proposals to be submitted and agreed.
9. Floor Risk Assessment mitigating measures as required by the Environment Agency.
10. Any Environmental Health conditions as necessary.
11. Any other conditions to be delegated to Head of Planning and Countryside as necessary.

Members resolved to approve the application contrary to officer recommendation for the following reasons:

- Members considered there to be a strategic need for a crematorium and an urgent need to serve the district.
 - Site considered to be close to settlements.
 - Location is as good as can be achieved.
 - Peaceful location suited to the use proposed.
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SIDMOUTH RURAL
(Sidmouth) 09/1632/FUL

Applicant: Mrs C Brewster

Location: St Kilda Lodge, Alma Lane, Sidmouth

Proposal: Two storey extension

RESOLVED APPROVED subject to 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. 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).

Members resolved to approve the application contrary to officer recommendation for the following reason:

- Members considered the design was acceptable and did not detract from the character of the existing building and the area

SEATON
(Seaton) 09/1666/FUL

Applicant: East Devon District Council

Location: Seaton Town Hall and Museum, Fore Street, Seaton

Proposal: Re roofing and external alterations including replacement of rainwater goods and installation of sun tunnels.

RESOLVED APPROVED subject to 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. Notwithstanding the submitted details the roof coverings for sections 1, 2, 3 & 4 as shown on Drawing No C/86/17/09/01 shall be finished in a natural slate in colour graphite grey to accord with the sample submitted on 2 October 2009. (Reason – To ensure the materials are sympathetic to the building, located within the Conservation Area of the Town).
3. Notwithstanding the submitted details, the guttering and downpipe to the front of the building shall be replaced with black painted half round and full round cast iron. The replacement gutters and downpipes to the sides and rear of the building shall be in Lindab full round and half round self finished galvanised steel. (Reason – To ensure the materials are sympathetic to the building, located within the Conservation Area of the Town).

Reasons for Approval

The proposal complies with the Devon Structure Plan 2001 – 2016 Policies C06 (Quality of New Development), C07 (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), EN11 (Preservation and Enhancement of Conservation Areas).

The proposal does not affect the privacy 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 character and appearance of the Conservation Area.

RALEIGH
Woodbury

09/1195/MOUT

Applicant:

FWS Carter and Sons

Location:

Land to the West of Greendale Business Park,
Woodbury Salterton

Proposal:

Expansion of business park for B1(c) (light industrial), B2 (general industry), B8 (storage and distribution) and sui generis uses (comprising of a concrete batching plant, training centre and recycling waste transfer station) including provision of estate roads, new access, landscaping and balancing pond.

RESOLVED

APPROVED subject to the following planning conditions:

1. Approval of the details of the layout, scale and 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. 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 three 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 the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.
(Reason - To ensure that an appropriate record is made of archaeological evidence that may be affected by the development).

5. Prior to the commencement of the development hereby approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
- a) A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

(Reason - To protect controlled waters)

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the method statement detailing how this unsuspected contamination shall be dealt with.

(Reason - For the protection of controlled waters).

7. Prior to first occupation of any of the development hereby permitted details of a timetable for the provision of the proposed attenuation pond together with details of its design, siting, construction and its future maintenance shall be submitted for the written approval of the Local Planning Authority. Notwithstanding any indication on the plans hereby approved the attenuation pond shall be sited outside of the floodzone. Thereafter the attenuation pond shall be provided in accordance with the agreed details and thereafter retained in accordance with the approved management plan.

8. Prior to the commencement of development full details of any external lighting within communal areas of the development including all roadways and footpaths shall be submitted for the written approval of the Local Planning Authority. The submitted details shall include the siting and design of any proposed lighting columns, details of their method and level of illumination and a scheme to minimise light pollution arising from their use. The submitted details shall also set a framework for types and levels of illumination within the individual plots which comprise the remainder of the site and any subsequent reserved matters applications for development on the plots shall be in accordance with the approved details. Thereafter any external illumination of the site shall be in accordance with the approved details.

(Reason - To minimise light pollution arising from the development that would be detrimental to the character and amenity of the area and its residents).

9. Prior to the commencement of development a full noise survey shall be carried out to identify existing background noise levels across a 24 hour period and agree acceptable noise levels across an average 24 hour period for when the development hereby approved is completed and all plots are operational. This shall include identifying maximum noise levels across an average 24 hour timeline that shall not be exceeded. The survey shall take into account all noise from vehicle movements as well as the business units themselves and shall include

where appropriate mitigation measures to reduce noise levels arising from the development. The development in total (including all plots) shall thereafter be operated only in accordance with the agreed noise levels unless otherwise agreed in writing with the Local Planning Authority.

(Reason - To minimise noise pollution arising from the development that would be detrimental to the character and amenity of the area and its residents).

10. Prior to the commencement of development a full air quality assessment shall be carried out to establish existing air quality levels and predict those likely to occur once the development is completed and fully operational. The assessment shall set a maximum level of pollution that shall arise from the proposed development as a whole and shall include details of any mitigation measures that shall be used to control air pollution from the development. The development shall thereafter only be operated in accordance with the agreed levels unless otherwise agreed in writing with the Local Planning Authority.

(Reason - To minimise air pollution arising from the development that would be detrimental to the amenity of the area and its residents).

11. The development hereby approved shall comprise a maximum gross external area (GEA) floor space of 3,000sq.m of Light Industrial (use class B1c), 1,500sq.m of General Industrial (Use Class B2) and 15,500sq.m of Storage and Distribution (use class B8) and not exceed a total of 20,000 sq.m unless otherwise agreed in writing by the Local Planning Authority (in consultation with the Secretary of State for Transport).

(Reason - In order to ensure that traffic generation from the development remains within levels that have been assessed and found to be appropriate in the interests of Highway Safety).

12. The development shall be carried out in accordance with Policy TA9 of the Adopted East Devon Local Plan (2006) not exceeding maximum car parking levels:- Light Industrial (use class B1c) – 1 space per 50 sq.m gross floor area; General Industry (use class B2) – 1 space per 50 sq.m gross floor area and; Storage and Distribution (use class B8) 1 space per 200 sq.m gross floor area.

(Reason - In order to ensure that parking levels are commensurate with the form of development, and meet the guidelines set out in the adopted Eat Devon Local Plan (2006)).

13. A Framework Travel Plan for the application site shall be prepared and agreed with the Local Planning Authority (in consultation with the Highways Agency representing the Secretary of State for Transport) prior to occupation of any employment floor space at the application site. The Travel Plan(s) shall be prepared in line with prevailing policy and best practice and shall include as a minimum:

- The identification of targets for trip reduction and modal shift
- The methods to be employed to meet these targets
- The mechanisms for monitoring and review
- The mechanisms for reporting
- The measures to be applied in the event that targets are not met
- The mechanisms for mitigation
- Implementation of the travel plan to an agreed timescale or timetable and its operation thereafter
- Mechanisms to secure variations to the travel plan following monitoring and reviews

All of the recommendations and proposed actions contained therein and the Approved Framework Travel Plan (or any variation of the Travel Plan agreed in writing with the Local Authority in consultation with the Highways Agency representing the Secretary of State for Transport) shall be operated thereafter strictly in accordance with the approved details. Subsequent individual Travel Plans will be developed in accordance with the Framework Travel Plan and submitted thereafter for the approval of the Local Authority (in consultation with the Highways Agency representing the Secretary of State for Transport) and agreed within 3 months of occupation. Individual Travel Plans shall be prepared in line with prevailing policy and best practice meeting the requirements set out above.

(Reason - In order that the development promotes public transport, walking and cycling and limits the reliance on the private car, minimising its impact on the Strategic Road Network).

14. Prior to the commencement of any of the development hereby approved a fully detailed landscaping scheme shall be submitted for the written approval of the Local Planning Authority. The submitted scheme shall include full details of the size, type and species of all planting, details of all grassed areas, walls, fences and other boundary treatments. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing with 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 the amenity of the area and to preserve the character and appearance of the area).
15. A landscape management plan for the long term management of the landscaping of the site shall be submitted for the written approval of the Local Planning Authority prior to the commencement of any development on the site. The landscaping shall thereafter be maintained in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.
(Reason – In the interests of minimising the visual impact of the proposed development and maintaining the character of the area).
16. The height of buildings on the development hereby permitted shall not exceed an eaves height of 7.5 metres (as referred to at para. 3.11 of the submitted Planning, Design and Access Statement) and a maximum ridge height of 12.5 metres (as referred to in the applicants letter of 22nd June 2009 ref. MdeC/5724) unless otherwise agreed in writing with the Local Planning Authority.
(Reason - In the interests of the character and visual amenities of the area).
17. Before any development commences on any part of the development hereby approved full details of final finished floor levels and finished ground levels in relation to a fixed datum for that part of the development shall have been 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 adequate details of levels are available in the interests of the character and appearance of the locality).
18. Prior to the commencement of development on any of the phases of the development hereby permitted the details of the materials to be used externally on the respective phase 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 - In the interests of the visual amenity and character of the area).
19. Prior to the first occupation of any of the development hereby approved directional signs shall be provided at the entrances to the application site from the existing estate road directing traffic to enter and exit the site using the access from the A3052. The signs shall be in accordance with a design and siting that shall have been previously agreed in writing with the Local Planning Authority and shall thereafter be retained as in accordance with the approved details.
(Reason - To minimise the volume of traffic associated with the development using the country lanes to the south of the site in the interests of highway safety and to protect the amenities of nearby residents).
20. Prior to first occupation of any of the development hereby permitted details of a timetable for the provision of the proposed bus stops together with details of their design, layout, siting and construction shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the bus stops shall be provided in accordance with the agreed details.

21. The proposed modified accesses onto White Cross Road shall be carried out in accordance with the details hereby approved and thereafter shall be maintained in accordance with a specification agreed in writing with the Local Planning Authority prior to the commencement of the works to modify the accesses and the visibility zones shall be kept permanently clear from any obstruction in excess of 600 mm in height above the adjoining carriageway levels. The existing access onto White Cross Road shall be modified as shown on the plans hereby approved upon the new access first being brought into use.

Any further conditions to be delegated to the Head of Planning and Countryside Services.

Reasons for approval

The proposed development is contrary to Policy ST4 (Infrastructure Provision) of the Devon Structure Plan and Policies S5 (Countryside Protection), S7 (Infrastructure Related to New Development) and TA7 (Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan due to it being sited outside of the development limits of any settlement and utilising parts of the highway network that do not have spare capacity. Despite this the proposal meets an identified need for economic development that cannot be met within a settlement and would be appropriately mitigated through landscaping to ensure that its visual impact does not cause excessive harm. The proposal would not be harmful to highways safety and would integrate with the local public transport network. It would not cause significant harm to the amenity of residents in the locality. It would not lead to the loss of high grade agricultural land or have any significant wider environmental or ecological implications. Taking all of these issues into account and the following policies the proposed development is considered to be acceptable.

The proposal complies with the Devon Structure Plan 2001-2016 Policies ST1 (Sustainable Development), CO1 (Landscape Character and Local Distinctiveness), CO6 (Quality of New Development), CO8 (Archaeology), CO13 (Protecting Water Resources and Flood Defence), CO14 (Conserving Agricultural Land), CO15 (Air Quality), CO16 (Noise Pollution), WM1 (Waste Management), TR1 (Devon Travel Strategy), TR2 (Co-ordinating Land Use / Travel Planning), TR3 (Managing Travel Demand), TR5 (Hierarchy of Modes), TR7 (Walking and Cycling) and TR9 (Public Transport).

The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies D1 (Design and Local Distinctiveness), D2 (Sustainable Construction), D4 (Landscape Requirements), D5 (Trees on Development Sites), EN6 (Wildlife Habitats and Features), EN8 (Proposals Affecting Sites Which May be of Archaeological Importance), EN15 (Control of Pollution), E4 (Bad Neighbour Uses), TA1 (Accessibility of New Development) and TA4 (Footpaths, Bridleways and Cycleways).

Honiton St Pauls
HONITON

09/1927/COU

Applicant:

East Devon District Council

Location:

Elmfield House, Dowell Street, Honiton

Proposal:

Change of use of ground floor from B1 to D1 for use as an art gallery and installation of new French doors and basement window.

RESOLVED

APPROVED subject to 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. The premises shall be used solely as an art gallery and for no other purpose (including any other purpose in Class D1 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 - To protect adjoining occupiers from potential noise and disturbance that might be generated by alternative uses).

Honiton St Pauls
HONITON

09/1910/LBC

Applicant:

East Devon District Council

Location:

Elmfield House, Dowell Street, Honiton

Proposal:

Internal and external alterations

RESOLVED

APPROVED subject to the following conditions:

1. LBC 1
2. LBC 30 - No works shall commence until the following details and specification have been submitted to and approved in writing by the Local Planning Authority.
 - New window and grille to basement including sections, mouldings, profiles and paint colour. Sections through casements, frames and glazing bars should be at a scale of 1:2 or 1:5.
 - Details of the proposed staircase from basement to ground floor to include all construction joinery and detailing shown at a scale of not less than 1:5.
 - Details of the new floor joists and structural measures to basement ceiling.
 - Further details of Option 3 (cobbles to basement) including a method statement for the removal of the cobbles, the construction of the new floor and the relaying of the cobbled margin to B1. The remaining cobbles shall be removed and stored under cover (or in a location approved in writing by the Local Planning Authority) for re-use

within the building in a location to be agreed in writing with the Local Planning Authority.

- Exact location of proposed sump to basement floor.
 - Details of the security measures to be applied to the ground floor openings, including the 2no. bay sash windows, the French doors and 1no. sash window. This should include details of the upgrading, any new shutter bars, fittings and hinges, and demonstrate their use and appearance, both open and closed.
 - Section to show detail of 'archway' between G2 & G3 including re-instatement of decorative frieze and cornice.
3. The works as agreed shall be carried out in accordance with the approved details.
(Reason - In the interests of the architectural and historic character of the building).
4. A record of the existing stairs to the basement and the cobbled basement floor shall be submitted to the LPA prior to their removal, including photographs and survey.
(Reason – to provide an accurate record of the original historic fabric)
5. The membrane and battens (John Newton 500 System or similar), for the tanking in the basement, shall be carefully applied and fixed to the existing fabric and the number of fixings shall be kept to the minimum required.
(Reason – To safeguard the architectural character of the building).
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EXMOUTH LITTLEHAM
(Exmouth)

08/2871/MFUL

Applicant:

Bloor Homes

Location:

Land at Hasledene, Cyprus Road, Exmouth

Proposal:

Demolition of existing student accommodation and construction of 30 dwellings and 10 flats with associated roadways, parking and landscaping.

RESOLVED

APPROVED for a 1 year period subject to the applicants entering into a Section 106 agreement to secure the 8 affordable houses, reduced open space, public transport contributions and proposed uplift mechanism. The tenure and mix of the affordable units to be agreed as well as suitable wording of the agreement to ensure that work is undertaken in good time. Planning permission to be subject to the previously agreed conditions as detailed in the attached report.

APPROVED subject to the applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 to secure:

- public open space contribution
- highway works
- affordable housing
- Landscape Management and Maintenance Plan

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 the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
The development shall be carried out at all times in strict accordance with the approved scheme.
(Reason - To ensure that an appropriate record is made of archaeological evidence that may be affected by the development).
3. 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/dormer windows (other than those expressly authorised by this permission) shall be constructed or formed in the side elevations (north and south) of plots identified as 1, 3, 16, 19, 20, 22, 28, 30, 31, and 33 on the site location plan SL01 Rev J.
(Reason - To protect the privacy of adjoining occupiers).
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 works shall be undertaken within Schedule 2 Part 1 Classes A, B, or 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, or for the provision within the curtilage of any building or enclosure, swimming or other pool, [other than any enclosure approved as part of the landscape management scheme].
(Reason - The space available would not permit such additions with detriment to the character and appearance of the area or to the amenities of adjoining occupiers).
5. The site accesses shall be constructed, laid out and maintained thereafter in accordance with the submitted plans.
(Reason - To provide satisfactory accesses to the site and to protect the pedestrian priority on the footway).
6. Any existing accesses shall be effectively and permanently closed as soon as the new site access is capable of use in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority.
(Reason - To prevent the use of a sub standard access and to minimise the number of accesses onto the highway).
7. In accordance with details that shall have been submitted to, and approved in writing by the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains onto the County Highway.
(Reason - In the interest of public safety and to prevent damage to the highway).
8. The proposed estate roads, cycle ways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local planning Authority.
(Reason - To ensure that adequate information is available for the proper consideration of the detailed proposals).
9. The soft landscaping scheme hereby approved shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the

Local Planning Authority. The scheme shall be maintained for a period of not less than 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).

10. No development shall take place until details and where so required samples and design drawings of all proposed walls, fences and other boundary treatment located internally and externally at the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed details
(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area).
11. Prior to the commencement of development, sample plans showing different areas of paving and hard surfacing within the site at a scale of 1:20 or 1:50 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.
(Reason - In the interests of the character and appearance of the area).
12. The area identified as informal play space (public open space) shall at all times be maintained in accordance with the Landscape Management and Maintenance Plan dated October 2008 and be available and accessible as an area of informal recreation
(Reason - To ensure that suitable onsite recreation provision is available and suitably maintained).
13. Prior to the commencement of development, a site specific tree protection methodology shall 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 the retention and protection of trees on the site).
14. A site monitoring log detailing how tree protection requirements have been adhered to shall be completed during the construction of the development and implementation of the landscaping scheme. The completed log shall be submitted to the Local Planning Authority on completion of the landscaping scheme.
(Reason - To ensure that the Arboricultural Method Statement and tree protection methods are adhered to during construction).
15. Prior to the commencement of development, details of a suitable receptor site for the species identified for translocation in the Reptile and Bat Report dated June 2008 shall be submitted to and approved in writing by the Local Planning Authority. The translocation shall be carried out in accordance with the suggested mitigation measures identified in the report.
(Reason - To ensure the protection of reptiles identified on the site in accordance with the Wildlife and Countryside Act 1981).
16. The solar panels shall be fixed to the dwellings as identified in Figure 19 of the Sustainability Site Evaluation, and be retained in perpetuity thereafter.
(Reason - In the interests of the renewable energy requirements on site and the visual amenity).

Reasons for approval

The proposal complies with the Devon Structure Plan 2001-2016 Policies ST1 (Sustainable Development), ST18a (Mix and Type of Housing), CO6 (Quality of New Development), TR4 (Parking Strategy, Standards and Proposals) and TR10 (Strategic Road Network).

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), D2 (Sustainable Construction), D4 (Landscape Requirements), EN18 (Adequacy of Foul Sewers and

Sewage Treatment Works), EN20 (River and Coastal Flooding), EN21 (Surface Run-Off Implications of New Development) and H4 (Affordable Housing), RE3 (Open Space Provision in New Housing Developments), TA1 (Accessibility of New Development), TA7 (Adequacy of Road Network and Site Access) and TA9 (Parking Provision in New Development).

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 cause a significant flood risk.

The access to serve the proposal does not prejudice highway safety.

The density of the development is at the highest level possible compatible with the area.

Exmouth Littleham
(Exmouth) 09/1443/FUL

Applicant: Mr Nash

Location: Tower rear of Harbour View Cafe, Exmouth

Proposal: Installation of steps to first floor level

RESOLVED APPROVED subject to the following condition:

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).

Reasons for approval

1. C06
 2. D1
 - 3.
 - 4.
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BUDLEIGH
(Budleigh Salterton) 09/0839/FUL

Applicant: Mr Harding

Location: Land at Stapleton, 5 West Hill Lane, Budleigh Salterton

Proposal: Two storey detached dwelling with integral garaging

RESOLVED APPROVED subject to 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 commence until the following further detailed drawings at a 1:5/1:10 scale of the following elements have been submitted to and approved in writing by the Local Planning Authority.
 - typical roof/elevation junctions and parapet details
 - typical window sections
 - balcony details(Reason – To ensure the design finish is of an appropriate standard in relation to the character and appearance of the area.)
3. 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 (to include details of the final finished colour of the render) 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.)

4. In relation to condition 3 above once agreed the final finished colour of the render shall be maintained as such in perpetuity unless previously agreed in writing with the Local Planning Authority
(Reason - To ensure that the materials are sympathetic to the character and appearance of the area.)
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 Order (or any order revoking and re-enacting that Order with or without modification) no works within Classes A, or E for the enlargement, improvement or other alterations and or the erection of outbuildings within the curtilage of the dwelling hereby permitted, 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.)
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 Order (or any order revoking and re-enacting that Order with or without modification) no further windows (other than those indicated on the approved plans) shall be inserted above ground level in any wall or roof slope.
(Reason – In the interest of the privacy and amenity of neighbouring occupiers.)
7. Notwithstanding the details as indicated on the submitted plans the windows at first and ground floor level on the east elevation indicated to serve the following rooms shall be fitted with obscure glazing and permanently retained as such:
 - H-Family room (ground floor)
 - B-En-suite Bathroom (first floor)(Reason – In the interest of the privacy and amenity of neighbouring occupiers.)
8. Notwithstanding the details as indicated on the submitted block plan and Principal site section detail, no development shall commence until detailed cross-sections through the proposed driveway, including the method of retention of soil has been submitted to an approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.
(Reason – In the interests of clarity and the protection of trees of amenity importance.)
9. Prior to commencement of any works on site (including demolition), tree protection details, to include the protection of hedges and shrubs, shall be submitted to and approved in writing by the Planning Authority. These shall adhere to the principles embodied in BS 5837, indicate exactly how and when the trees will be protected during the site works and shall include the following detailed information:
 - A Tree Protection Plan showing the :
 - location of Construction Exclusion Zones with associated appropriate tree protection fencing or other protection measures to be agreed by the Local Planning Authority
 - site access,
 - location of site welfare,
 - location of materials storage,
 - location of mixing/washing areas,
 - location of proposed soakaways and service runs,
 - location of areas of landscaping and
 - pre- construction tree works.

Development shall then proceed in accordance with the agreed details.

(Reason - To ensure retention and protection of trees on the site in the interests of amenity and to preserve and enhance the character and appearance of the area.)

10. Prior to commencement of any works on site (including demolition), Arboricultural Method Statements, that cover the following matters, shall be submitted to and approved in writing by the Local Planning Authority:
- The provision for monitoring of the site and works by a suitably qualified and experienced Arboriculturalist
 - any necessary remedial or access facilitation tree works
 - The creation and maintenance of an Arboricultural site monitoring log to be submitted to the Local Planning Authority for approval prior to the first occupation of the building the erection and maintenance and removal of the fencing or other protection measures,
 - provision of appropriate signage and the training of site workers,
 - the excavation of the driveway within the RPA of any retained or off site tree,
 - the construction of a "no dig" driveway,
 - the construction of any retaining walls or other structures within the RPA of any retained or off site tree,
 - the type and extent of any landscaping works within identified protected areas.

Development shall then proceed in accordance with the agreed details.

(Reason - To ensure retention and protection of trees on the site in the interests of amenity and to preserve and enhance the character and appearance of the area.)

11. 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 details of the following:
- Size, number and species of replacement tree planting
 - Size, number and species of replacement/supplementary planting to the south east and west boundaries of the site
 - Hardsurfacing materials and method of construction of driveway, parking and turning areas
 - Scaled elevation drawings and construction details of the proposed dry stone wall and entrance gate to the site frontage.

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.)

12. The proposed development shall not commence until the improvements to visibility and amendments to the vehicular access have been provided as shown on the application drawings. The visibility splays shall be maintained thereafter free of any obstruction greater than 600mm in height above ground level. The new access and driveway works shall be carried out in accordance with the amended plans received 12 October 2009 unless otherwise agreed in writing with the Local Planning Authority.

(Reason – In the interests of highway safety.)

13. The development hereby approved shall be carried out in strict accordance with the recommendations of the Ecological survey report prepared by Ambios Ecology LLP in October 2008, or any alternative to this which has been previously submitted to and agreed in writing by the Local Planning Authority.

(Reason – In the interests of the conservation and protection of protected species.)

Reasons for approval

1. C03, C06 and C07
 2. D1, D5, S4, EN1, EN11, RE3 and TA7
- 4 and 5
-

The following applications were REFUSED for the reasons indicated

AXMINSTER RURAL
(Axminster)

09/1299/FUL

Applicant:

Mr Wood

Location:

64 Millwey Avenue, Axminster

Proposal:

Change of use of amenity land to off road parking space including new "grasscrete" surface and provision of dropped kerb.

RESOLVED

REFUSED for the following reason:

The use of an area of prominent 'amenity' land for the parking of vehicles and the resulting change in surfacing materials would significantly alter the character and appearance of the land and would set a precedent for similar applications on the adjoining areas of amenity land by virtue of the very similar site characteristics. The distinct character of the estate largely derives from the uniformity of these grassed amenity areas in relation to the existing properties and the change of use of this land for parking would significantly harm that character. The proposal is therefore contrary to Policy CO6 (Quality of New Development) of the Devon Structure Plan 2001 – 2016 and Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 1995 – 2011.

The following applications were referred to the
PLANNING INSPECTIONS COMMITTEE

OTTERY ST MARY TOWN
(Ottery St Mary)

08/2881/MFUL

Applicant:

Sea Valley Properties

Location:

Marist Convent, 8 Broad Street, Ottery St Mary

Proposal:

Construction of 4 no. Dwellings, 8 no. Apartments and a commercial building with associated parking and amenity facilities

RESOLVED

INSPECT

Reason: to consider the impact on the area and to examine appropriateness of design.

SIDMOUTH SIDFORD
(Sidmouth)

09/1531/FUL

Target Date: (29.09.2009)

Applicant:

Mr Greenslade

Location:

Land adjacent 47 Livonia Road, Sidmouth

Proposal:

Erection of New Dwelling and Car Port with New Vehicular Access

RESOLVED

INSPECT

Reason: to consider the layout of the development, drainage issues and overall design.