

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Planning Inspections Committee held at the Knowle, Sidmouth on Friday 19 February 2010

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| Present: | Councillors: Paul Diviani (Chairman) Andrew Dinnis (Vice Chairman) Geoff Chamberlain Iain Chubb Ray Franklin Graham Troman Mark Williamson |
| Officers: | Stephen Belli, Development Manager Hannah Jarvis, Assistant Democratic Services Officer Andrew Seddon, Senior Solicitor |
| Ward Members: | Malcolm Florey Steve Hall |
| Apologies: | Helen Parr Pauline Stott |

The meeting started at 10.30 am and ended at 11.05 am

***13 Minutes**

The minutes of the meeting of the Planning Inspections Committee held on 22 January 2010 were confirmed and signed as a true record.

***14 Application referred to the Planning Inspections Committee**

The Committee considered the application referred to it by the Development Management Committee. Members of the Planning Inspections Committee along with the Development Manager and Assistant Democratic Services Officer had informally visited the site earlier that day.

The following decision was made having taken into account the report previously submitted to the Development Management Committee which had been brought to Members' attention, noted by them and updated during the site visit.

- (a) Budleigh: Application No: 09/2305/FUL – New dwelling at Land adjoining Summerlands, Cricket Field Lane, Budleigh Salterton for Mr and Mrs Shorney

RESOLVED: that the application be APPROVED in conjunction with the submitted Unilateral Undertaking (including the Addendum) signed by Brian Shorney and Christine Elizabeth Shorney, and dated 5 November 2009 and subject to the following conditions:

Conditions

1. The development hereby permitted shall commence before the expiration of five years from the date of this decision.
(Reason - To comply with Section 60 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)

*14 **Application referred to the Planning Inspections Committee (cont'd)**

(a) Budleigh: Application No: 09/2305/FUL – New dwelling at Land adjoining Summerlands, Cricket Field Lane, Budleigh Salterton for Mr and Mrs Shorney

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason – To ensure that the development is compatible with the location and conservation area.)
3. No works or development shall take place until full details of tree planting in the vicinity of the dwelling, and the proposed times of planting, have been submitted to and approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times. If within a period of two years from the date of the planting any tree, that tree, or any tree planted in replacements for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written approval to any variation.
(Reason – To ensure that the development is suitable assimilated within the landscape and the designated setting.)
4. Before the work hereby authorised begins steps shall be taken to secure the safety and stability of the boundary wall which is to be retained. Such steps shall, where necessary, include measures to strengthen the wall and to provide protection for it during the progress of the works. Details of such proposals shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not proceed otherwise than in strict accordance with the details agreed.
(Reason – To ensure that the boundary wall, which contributes greatly to the Budleigh Conservation Area, is suitably protected and retained).
5. No development shall take place and no equipment, machinery or materials be brought onto the site until a plan showing the precise position of the Root protection Areas (RPAs) of all trees in the vicinity of the dwelling hereby approved, and the details for fencing those areas, have been submitted to and approved in writing by the local planning authority. Nothing shall be stored or placed in the fenced area and ground levels within it shall not be altered, nor shall any excavation be made without the written approval of the local planning authority. No burning/bonfires shall take place in a position where the flames could extend to within 5 M of any part of the tree.
(Reason – To ensure suitable protection of the nearby Trees, which retain intrinsic value to the Conservation Area.)

*14 **Application referred to the Planning Inspections Committee (cont'd)**

(a) Budleigh: Application No: 09/2305/FUL – New dwelling at Land adjoining Summerlands, Cricket Field Lane, Budleigh Salterton for Mr and Mrs Shorney

6. No development shall take place until full details of the foundation design for any part of the approved building, or for any other above or below ground work, within the RPAs have been submitted to and approved in writing by the local planning authority. All work shall be carried out in accordance with the approved details. (Reason – To ensure suitable protection of the nearby Trees, which retain intrinsic value to the Budleigh Salterton Conservation Area.)
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 works within Schedule 2 Part 1 Classes A – F inclusive shall be carried out. (Reason – The layout of the dwelling, private amenity space available and proximity of protected trees would not permit such additions or alterations without detriment to the character and appearance of the property or grain of the conservation area.)
8. No development shall take place until details of surface water drainage for the site have been submitted to and approved in writing by the local planning authority. All work shall be carried out in accordance with the approved details. (Reason – To ensure that adequate surface water drainage is provided without detriment to the wider area.)
9. No development shall commence until details and specification of the roof eaves and verge, including construction and finishes, have been submitted to and approved in writing by the Local Planning Authority. The works as agreed shall be carried out in accordance with the approved details. (Reason - In the interests of maintaining the historic character of the conservation area.)
10. No work shall commence until a detailed construction management plan which shall include details of how construction vehicles can safely access the site, unload materials, parking and turning arrangements, hours and days of construction operation, has been submitted to and agreed in writing with the Local Planning Authority. The development shall proceed in accordance with the details so agreed unless any written variation has been submitted to and agreed in writing by the Local Planning Authority (Reason - Given the constraints on access and the proximity of neighbouring properties it is considered necessary to control how development takes place in the interests of highway safety and residential amenity.)

(Councillor Paul Diviani declared a personal interest in application as a County Council representative on the East Devon AONB Board and remained in the Chamber to speak and vote. Councillor Malcolm Florey declared a personal interest in the application as a representative on the East Devon AONB Board and remained in the Chamber to speak.)

Chairman

Date