

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Planning Inspections Committee held at the Knowle, Sidmouth on Friday 17 April 2009

Present:

Councillors:

Tony Reed (Chairman)
Helen Parr (Vice Chairman)

Geoff Chamberlain
Iain Chubb
Andrew Dinnis
Ray Franklin
Ken George
Mark Williamson

Officers:

James Brown, Senior Development Control Officer
Andrew Carmichael, Assistant Development Manager
Hannah Jarvis, Democratic Services Support Officer
Andrew Seddon, Senior Solicitor

Ward Member:

Councillors:

Jill Elson
Frances Newth

Apologies:

Councillor Graham Liverton

The meeting started at 4.01 pm and ended at 4.37 pm

*25 **Minutes**

The minutes of the meeting of the Planning Inspections Committee held on 20 March 2009 were confirmed and signed as a true record.

*26 **Applications referred to the Planning Inspections Committee**

The Committee considered the applications and matter referred to it by the Development Control Committee. Members of the Planning Inspections Committee along with the Assistant Development Manager, Senior Development Control Officer and Democratic Services Support Officer had informally visited the sites earlier that day.

The following decisions were made having taken into account the reports previously submitted to the Development Control Committee which had been brought to Members' attention, noted by them and updated during the site visit.

*26 **Applications referred to the Planning Inspections Committee (cont'd)**

- (a) Exmouth Halsdon: Application No: 08/3113/FUL – Construction of a detached dwelling at 186 Exeter Road, Exeter for Mr A Walsh

RESOLVED: that the application be REFUSED subject to the following reason:

Reason for Refusal

- 1 The proposed detached dwelling, by reason of its inappropriate siting and proximity to 186 Exeter Road, would have an overbearing impact on the amenity space to the rear of this property and would detract from the living conditions of the occupiers. The development would also give rise to an unacceptable degree of overlooking between first floor windows in the new dwelling and existing property with a consequent loss of privacy for the residents of both properties. The development is therefore contrary to Policy CO6 (Quality of New Development) of the Devon Structure Plan 2001 – 2016 and Policies S4 (Development Within Built-up Area Boundaries) and D1 (Design and Local Distinctiveness) of the Adopted East Devon Local Plan 1995 – 2011.

- (b) Sidmouth Town: Application No: 08/2141/FUL – Proposed demolition of existing single storey and erection of pair of semi-detached 2 bed houses at Heydons Hall, Heydons Lane, Sidmouth for Mrs J Dumenil

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

Conditions

- 1 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. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

(Reason - To comply with section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)

- 2 Approval of the details of the layout, scale and appearance of the building (s), 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.)

- 3 The combined footprint area of the dwellings shall not exceed that indicated on the approved illustrative 1:100 site/block plan drawing no. 3586/7. The heights of the eaves and of the highest ridge of the new buildings shall not exceed the levels indicated on the illustrative elevation and section drawing no. 3586/8 when the ground level shown on the latter drawing is taken as being the level of the base of the southern wall of the existing building on the site. Prior to the commencement of any development on the site a datum point, clearly expressing this ground level, shall be fixed at a place on or adjoining the site, to be agreed with the Local Planning Authority in writing, and shall be so retained for the duration of the construction period.

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Applications referred to the Planning Inspections Committee (cont'd)

(b) Sidmouth Town: Application No: 08/2141/FUL – Proposed demolition of existing single storey and erection of pair of semi-detached 2 bed houses at Heydons Hall, Heydons Lane, Sidmouth for Mrs J Dumenil

(Reason – To secure an appropriate maximum scale and bulk for the building, in the interests of the character and appearance of the locality and of the adjoining Conservation Area, in accordance with advice set out in PPS 1 and PPG 15, and with policies CO6 and CO7 of the Devon County Structure Plan 2001 -2016 and policies D1 and EN11 of the East Devon Local Plan 1995 - 2011.)

- 4 Each dwelling house shall have one car and two cycle parking spaces provided for it within the site. No occupation of the dwellings shall take place until such provision shall have been laid out in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority as part of the reserved matters, as required by condition 2 of this permission. The approved car and cycle parking provision shall be maintained and kept available for these purposes for the duration of the occupation of the dwelling that the parking serves.

(Reason – To secure appropriate off-street car and cycle parking facilities for the development, in accordance with advice set out in PPG 13 and with policies TR2 and TR10 if the Devon County Structure Plan 2001 -2016 and policies TA7 and TA9 of the East Devon Local Plan 1995 – 2011).

- 5 The landscaping details required by condition 2 of this permission shall include the retention of the Holly tree on the site, together with the method of its protection during construction works and its management thereafter.

(Reason – To ensure the protection of this important tree in accordance with advice set out in PPS 1 and PPS 9, and with policies ST1 and CO6 of the Devon County Structure Plan 2001 -2016 and policies S4, D1 and D5 of the East Devon Local Plan 1995 – 2011.)

- 6 All parking and pathway hard surfaces proposed as part of the landscaping details required by condition 2 of this permission shall be constructed of permeable materials.

(Reason – To assist in the management of surface water run-off for the site, in accordance with advice set out in PPS 1 and PPS 25, and with policies ST1 and CO13 of the Devon County Structure Plan 2001 -2016 and policies S4, D1 and EN21 of the East Devon Local Plan 1995 – 2011.)

- 7 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 openings shall be let above ground floor ceiling height in any south west-facing elevation (wall or roof plane) of any building on the site.

(Reason – To prevent damage to the amenities of adjoining occupiers as a result of potential overlooking, in accordance with national and local planning policy and guidance, as set out in PPS1, PPS3, policies ST1 and CO6 of the Devon Structure Plan 2001 – 2016, and policies S4 and D1 of the East Devon Local Plan 1995 – 2011).

*26 **Applications referred to the Planning Inspections Committee (cont'd)**

- (b) Sidmouth Town: Application No: 08/2141/FUL – Proposed demolition of existing single storey and erection of pair of semi-detached 2 bed houses at Heydons Hall, Heydons Lane, Sidmouth for Mrs J Dumenil

Informatives

- 1 The applicant is encouraged to utilise energy- and resource- efficient and generating materials, equipment and methods in the construction works and in the subsequent use of the dwellings in accordance with national and local planning policy and advice, as set out in PPS1 and policies ST1 and CO11 of the Devon Structure Plan 2001 - 2016 and policies D1 and D2 of the East Devon Local Plan 2006.
- 2 This permission is to be read in conjunction with the Unilateral Undertaking dated 27th February 2009 relating to the site.
- 3 The layout should provide for the dwellings to be moved back into the site a small additional distance (e.g. 0.5 metres or 1 metre) to allow cars parked at the front of the site to be clear of the highway.

Chairman

Date