

Date: 09 March 2005
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Our Reference: CEH (AgdaInsp)



To:

Members of the Planning Inspections Committee
(Councillors: Mrs M J Boote, G P Chamberlain, Lt Col A J M Drake,
R G Franklin, S Hughes, Mrs H E Parr, A W J Reed, N Rogers)

Ward Members:
(Councillors: Mrs R E Burrow, D G Button, Mrs C E Drew,
G K Liverton, Mrs F I Newth, A S Pascoe, Miss S M Randall Johnson,
C H Wale, A J Wilkinson)

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For information:

Chief Executive
Corporate Director - Environment
Head of Planning Countryside Services

Dear Sir/Madam,

**Planning Inspections Committee
Friday 18 March 2005 at 2.30 p.m.**

The above Committee meeting will be held in the Council Chamber, Knowle to consider the matters detailed on the agenda below.

Ward Members are reminded that they are Members of the Inspections Committee for the purpose of any application within their own Ward. For the purpose of such applications, they are also entitled to attend the informal site inspections to be carried out by the Committee.

Members are requested to bring their previously circulated copies of the Development Control Committee reports to the meeting.

Yours faithfully

MARK WILLIAMS

Chief Executive

AGENDA

		Page/s
Part A		
1	To confirm the minutes of the meetings of the Planning Inspections Committee held on 18 February 2005.	3 – 9
2	To receive any apologies for absence.	
3	To consider any items which in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances.	

(Note: Such circumstances need to be specified in the minutes; any Member wishing to raise a matter under this item is requested to notify the Chief Executive in advance of the meeting).

- 4 To agree any items to be dealt with after the public (including the press) have been excluded. There are no items which the Officers recommend should be dealt with in this way.
- 5 To consider the following planning applications. The permanent, including substitute, Members of the Planning Inspections Committee will carry out informal inspections of the application sites as follows:

<u>District Ward</u>	<u>Application No</u> <u>Proposed Development / Site / Applicant</u>	<u>Approximate Time</u> <u>of Informal Visit</u>
Sidmouth Town	04/P1445 New Light Industrial Units at Alexandria Industrial Estate for Fords	9.15 a.m.
Sidmouth Sidford	05/0051 & 05/0063 Erection of dwelling at a lower floor level (75) to replace existing (0051) & Erection of new house off the existing slab level of 76.3, with a reduced roof height and dormer windows at Plot 10, Heritage Way, Sidford for Charles Church Western Coffee	10.05 a.m.
Broadclyst	04/3133 New external beer cellar at the Duke of York Inn, Clyst Honiton for Mr & Mrs W Beggs	11.10 a.m.
Ottery St. Mary Rural	03/P1440 Erection of 3 dwellings at Pinewood, Bendarroch Road, West Hill, Ottery St Mary for Mr J Mullen Lunch	11.45 a.m.
	Committee	2.30 p.m.

Members please note:

In order to minimise the number of cars used for the inspection, Members leaving from Knowle are asked to meet at 9:00 a.m. for departure at 9:10 a.m. If you are unable to attend, would you please inform Mr Holland (01395 517543) as soon as possible.

You must declare any personal or prejudicial interests in an item before it is discussed. Please make sure you state the reason for your interest as this must be recorded in the minutes. If your interest is prejudicial you must leave the room. You also need to declare when you are subject to the party whip, again before the matter is discussed.

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Planning Inspections Committee held at Knowle, Sidmouth on Friday 18 February 2005

Present: Councillors:
Lt. Col. A J M Drake (Chairman)
A W J Reed (Vice-Chairman)

Mrs M J Boote
G P Chamberlain
R G Franklin
S Hughes
N Rogers
Mrs H E Parr

Ward Members: Councillors:

Mrs K J Bamsey
T A Cope
J E D Falby
K W George
T G Reeves
Mrs L A Roden
C H Wale

Apologies: Councillor:

Mrs C E Drew
R Mudge

The meeting started at 3.15 p.m. and ended at 6.00 p.m.

***29 Minutes**

The minutes of the meetings of the Planning Inspections Committee held 14 January 2005 were confirmed and signed as a true record.

***30 Applications Referred to the Planning Inspections Committee**

The Committee considered applications and matters referred to it by the Development Control Committee, the sites of which had been informally visited earlier that day. The following decisions were made having taken into account the reports of the Head of Planning and Countryside Services, previously submitted to the Development Control Committee which had been brought to Members' attention, noted by them and updated during the site visits.

- (a) Sidmouth Sidford: Application No. 04/P2174 – Demolition of existing dwelling & erection of 5 flats with associated garaging & construction of new access at 70 High Street, Sidford for Mr & Mrs Gold

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

Conditions

- 1 Approval of the details of the siting design and external appearance of the building, 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 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.
- 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 No development shall take place until details of the parking and turning areas within the curtilage have been submitted to and approved in writing by the local planning authority. The development hereby permitted shall not be occupied until the parking and turning areas have been completed in accordance with the approved plans. Thereafter at all times the parking and turning areas shall be kept free of obstruction and available for use for these purposes.
Reason - To ensure that adequate and safe provision is made for the occupiers and in the interests of highway safety.

- (a) Sidmouth Sidford: Application No. 04/P2174 – Demolition of existing dwelling & erection of 5 flats with associated garaging & construction of new access at 70 High Street, Sidford for Mr & Mrs Gold
- 5 The existing footway along the Burscombe Lane frontage of the site shall be extended along the High Street frontage of the site, as indicated on the submitted site layout drawing, in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. This shall be completed prior to the occupation of any of the flats hereby permitted.
Reason – In the interests of highway safety and to ensure the provision of improved pedestrian facilities.
 - 6 The existing access to the site shall be permanently closed prior to the occupation of any of the flats hereby permitted in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority.
Reason – In the interests of highway safety.
 - 7 Access to the site shall be from Burscombe Lane in the position shown on the indicative site layout drawing.
Reason – In the interests of highway safety.
 - 8 No development shall take place until a cross section through the existing and proposed building, indicating existing and proposed floor levels to a common datum, has 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 adequate details of levels are available in the interest of the character and appearance of the locality.
 - 9 the ridge height of the building shall be no greater than that of the existing building.
- (b) Budleigh Salterton: Application No. 04/2703 – Replacement dwelling with alterations to access at 8 Northview Road for Mr Simcock

RESOLVED: that the application be REFUSED for the following reason:

Reason for Refusal

The proposed development by reason of its height, bulk and massing would be detrimental to the amenity of neighbouring properties especially to the east of the site and is within 5 metres of the crown spread of a protected tree.

- (c) Exmouth Brixington: Application No. 04/2867 – Two storey side extension at 3 Yew Tree Close for Ms Y Ballard

RESOLVED: that the application be APPROVED.

- (d) Exmouth Littleham: Application No. 04/2928 – Single storey extension at 12 Heatherdale for Mrs Coate

RESOLVED: that the application be DEFERRED for the submission of plans showing the extension being moved 300mm away from the fence/boundary with the Head of Planning and Countryside Services being given delegated authority to APPROVE the application in consultation with the Chairman and Ward Members.

- (e) Rousdon: Application No. 04/2528 – Erection of Equine Dwelling and associated Stables at Rousdon Estate for Rousdon Estate Ltd.

RESOLVED: that the application be REFUSED for the following reasons:

- 1 The site for the proposed dwelling is located outside the built-up area of any settlement as defined in the East Devon Local Plan Revised Deposit, September 2003 and consequently would be contrary to policy S4 (Countryside Protection) of the East Devon Local Plan Revised Deposit, September 2003 wherein it is proposed that development in the countryside will only be permitted where it is in accordance with a specific Local Plan policy that explicitly permits such development.
- 2 The proposed development would be located in a prominent position where it would adversely affect the setting of the Grade II* Mansion House and the character and appearance of the conservation area and consequently the proposed development would be contrary to 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 and policy C07 (Historic Settlements and Buildings) of the Devon Structure Plan 2001 – 2016.
- 3 The proposed development by reason of its location and scale would be harmful to the character and appearance of a registered park and garden of special historic interest and consequently would be contrary to policy EN18 (Development Affecting Parks & Gardens of Special Historic Interest) of the East Devon Local Plan Revised Deposit, September 2003 and policy C07 (Historic Settlements and Buildings) of the Devon Structure Plan 2001 – 2016.

- (e) Rousdon: Application No. 04/2528 – Erection of Equine Dwelling and associated Stables at Rousdon Estate for Rousdon Estate Ltd.
- 4 The proposed development constitutes isolated sporadic development within an area designated as an Area Of Outstanding Natural Beauty and Coastal Preservation Area resulting in harm to the landscape and consequently would be contrary to policy EN1 (Development in Areas of Outstanding Natural Beauty) of the East Devon Local Plan, Revised Deposit, September 2003 and policies C01 (Landscape Character and Local Distinctiveness), C03 (Areas of Outstanding Natural Beauty) and C05 (Coastal Preservation Area) of the Devon Structure Plan 2001 – 2016.
 - 5 The proposed development would be located where it is remote from adequate services, employment, education and public transport and is likely therefore to increase the need for travel by private vehicles which is non sustainable and consequently would be contrary to policy TR5 (Hierarchy of Modes) of the Devon Structure Plan 2001 – 2016.
- (f) Honiton St Michaels: Application No. 04/P1058 – Provision of 12 Close Care Homes and amenity centre at Gittisham Hill House, Honiton.

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

Conditions

- 1 Notwithstanding the submitted details 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, which is designated an Area of Outstanding Natural Beauty.

- 2 No development shall take place until details of the foul water drainage system and 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 unit on the site is occupied.

Reason - To avoid pollution of the environment and/or flooding.

- (f) Honiton St Michaels: Application No. 04/P1058 – Provision of 12 Close Care Homes and amenity centre

- 3 No development shall take place until a landscaping and tree management 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, which is designated an Area of Outstanding Natural Beauty and safeguarding protected trees on the site from damage.

- 4 The landscaping and tree management 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.

- 5 No equipment, machinery or materials to be used in the undertaking of the development shall be brought onto the site until all measures for protecting the retained trees during the course of development have been implemented in accordance with the requirements of the approved landscaping scheme. The protective measures shall be retained until the development has been completed and all equipment, machinery and any surplus or waste materials have been permanently removed from the site. Nothing shall be stored or placed inside protected areas, nor shall the ground levels within those areas be altered or excavated without the prior written consent of the local planning authority.

Reason – In the interests of safeguarding protected trees on the site.

(g) Honiton St Michaels: Application No. 04/P1058 – Provision of 12 Close Care Homes and amenity centre

6 No development shall take place until a detailed method statement for the construction of roads, paths and parking areas on the site, including details of surface materials, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the occupation of any of the units hereby permitted.

Reason – In the interests of safeguarding protected trees on the site.

7 The accommodation hereby approved shall be occupied solely by persons 60 years or older, unless otherwise agreed by the Local Planning Authority in writing, and shall be used solely for 'close care' accommodation (in accordance with the details submitted with the application) in association with the use of Gittisham Hill House as a nursing home, and the freehold interest of the units shall not be disposed of separately from Gittisham Hill House.

Reason – The development is only acceptable for 'close care' accommodation associated with the existing nursing home and the occupancy of the units as independent dwelling units would be contrary to the Local Planning Authority policies for development in rural areas.

8 The permission hereby granted relates to the submitted application as amended by the details shown on the revised site section, elevation and floor plans (drawing nos. 2888/04, 2888/05 and 2888/06) received by East Devon District Council on 15th September 2004 and the revised site layout plan no. 2888/03 Rev C received by East Devon District Council on 13th January 2005.

Reason – To define the permission and in the interests of safeguarding protected trees on the site.

Chairman

Date.....