

EXMOUTH TOWN COUNCIL

MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON MONDAY 20th JANUARY 2014 AT 6.00P.M.

PRESENT: Councillors: L Elson (Chairman)

I Brownbill	M Chapman
T Dumper	S Gazzard
A Greenhalgh	B Nash
C Nicholas	B Toye
R Turner	E Wragg
S Wragg	

APOLOGIES: Councillors S MacQueen & J Taylor

P14/009. MINUTES

The Minutes of the meeting held on 6th January 2014 were approved and signed as a correct record.

P14/010. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS

Councillors M Chapman and S Gazzard declared a personal interest in respect of P14/011 & P14/014 Items for Consideration as they sat on the Licensing Sub-Committee at EDDC who would decide on the applications.

P14/011. URGENT BUSINESS

1. PREMISES LICENCE VARIATION APPLICATION

40 The Strand

Ward: Town

The Committee objected to the previous application to extend their opening hours to 4am every day. The Police also had objected but agreed to opening on a Friday & Saturday only to 3.30am which was in line with Exmouth Kebab House. EDDC wished to know the Town Council's opinion.

RESOLVED: The Committee still did not support the extension of licensing hours beyond 3am on the same grounds as before the "prevention of public nuisance".

Note: Councillors M Chapman and S Gazzard left the room whilst discussion took place as they had previously declared a personal interest.

2. PREMISES LICENCE VARIATION APPLICATION

**Best Kebabs, Unit 3, 7-9 Rolle Street,
Ward: Town**

Following the rejection of a previous application the applicant had re-submitted their application to extend the premises opening hours and licensing hours for the provision of late night refreshment to 04:00 am Monday to Sunday.

RESOLVED: The Committee again still did not support the extension of licensing hours beyond 3am on the same grounds as before the “prevention of public nuisance”

Note: Councillors M Chapman and S Gazzard left the room whilst discussion took place as they had previously declared a personal interest.

3. Premier Inn Site – Hoarding

Cllr S Wragg raised a concern that although the hoarding was there to keep out children etc it may be there for some time and be unsightly for visitors. It may have to need planning permission if the site is left like this for some time. A response had been received from EDDC Planning following enquiries with them:

“Planning permission was not required for the hoarding for the duration of the demolition and building works.

Some work had commenced e.g. demolition and it was understood work was due to commence on construction in January (although this had obviously slipped).

Technically the hoarding could be argued to require planning permission as they were not currently constructing on site.

However, the commencement of construction was imminent so it was not expedient to take any enforcement action at this stage. Should the construction period slip considerably, they would reconsider the position”

Ian Treacy (West Team Enforcement Officer) had been advised so he could monitor the situation.

Premier Inn had issued the following press statement the previous week

“We’re investing more than £5 million in bringing a new Premier Inn to Exmouth seafront by regenerating the former Queen Elizabeth Hall site. Now the detailed design has been completed and the weather forecast is better we are negotiating the construction contract. Whitbread want to get this absolutely right and so we have taken a little more time to develop the scheme so we can incorporate the latest enhanced Premier Inn room specification. We will be on site in spring and open for trade as soon as possible providing jobs and investment to the local community.”

RESOLVED: The Committee requested that the Town Council write to EDDC Enforcement Officer expressing the Town Council's concerns and to take the following enforcement action: the area to be cleared of rubble, flattened and the hoardings removed by the Easter Break if no construction work was going to be taking place. It was also the Committee's wish that Whitbread PLC received a copy of this letter.

4. Upper Lovering Working Party

The Chairman advised the Committee that the first meeting of the Working Party had been arranged for Tuesday 28th January 2014 at 6pm. Two members of Lympstone Parish, Exmouth Ward Councillors M Chapman, T Dumper and L Elson had already agreed to attend, however any Ward Councillor was welcome to attend.

P14/012. To Determine Applications under Delegated Powers.

		APPLICATIONS FOR DETERMINATION	COMMENTS	STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS	DECISION
WARD	Brixington				
PLAN No:	13/2704/TRE	16 Brixington Drive Mr K Cornall T1 - Ash - Pollard at 10 metres.		<p>Tree Officer’s report- This was a maturing native ash and formed part of a large informal group but had individual merit. The tree was trifurcated with a single stem & two sub dominant stems to collectively form a single crown. Three previous applications following root damage in 2007 had been determined for reduction and thinning works. The stated reason for the work was due to the poor historic pruning practice. However the proposed works did not justify or outweigh the amenity provided. Whilst pollarding was not considered appropriate, some thinning of the adventitious growth would be considered acceptable.</p> <p>Recommendation for a split decision Refuse the application to pollard at 10 metres as the proposed works lacked suitable justification.</p> <p>Approval of lesser works to Crown thin regrowth around historic reduction points. Crown thinning should remove no more than 30% of the foliage area around each reduction point. Thinning should be selective, retaining the larger better formed and spaced branches.</p>	<p>REFUSAL in accordance with the Tree Officer’s report to pollard at 10 metres as the proposed works did not justify or outweigh the amenity provided. However the Committee APPROVED lesser work to crown thin regrowth points around historic reduction points. Crown thinning should remove no more than 30% Thinning should be selective, retaining the larger better formed and spaced branches.</p>
LIMIT	30.01.14				

P14/013. To consider the Planning Applications for consultation set out below

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Halsdon				
PLAN No:	13/2773/FUL	9 Betjeman Drive Mr A Todd Construction of detached garden room		None	NO OBJECTION on the condition it was not be used as a separate dwelling
LIMIT	29.01.14				
WARD	Littleham				
PLAN No:	13/2796/FUL	Straight Point Rifle Range Sandy Bay Ministry Of Defence Installation of replacement rope climbing frame.	Cllr M Williamson – no objection.	None	NO OBJECTION
LIMIT	23.01.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	13/2670/LBC	62 Bicton Street Mr Andrew Kyle Installation of a mechanical extractor outlet to the rear elevation serving the WC.		None	NO OBJECTION
LIMIT	23.01.14				
PLAN No:	14/0041/FUL	Rocklands Rolle Road Mr C Fayers Retention of post & wire fence to boundary wall.		Conservation officer- The wall was an original section that appeared to have had some railings historically presumably removed during WWII. A previous application for steel painted railings to match gates was refused despite the CO recommending approval. The CO described the current solution as acceptable and not dissimilar to many other properties where the railings have been lost.	NO OBJECTION subject to a condition that no subsequent alterations be made to existing boundary treatment.
LIMIT	29.01.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Town				
PLAN No:	14/0059/FUL	<u>ADDENDUM</u> 16 Morton Road Mr Bakewell Construction of two storey rear extension (revisions to planning permission 11/0584/FUL) <i>Internal Alterations</i>		None	NO OBJECTION
LIMIT	31.01.14				
PLAN No:	13/2787/FUL	<u>ADDENDUM</u> 22 Rolle Street Mr P Jones Alterations and extensions to rear of property, raising of roofs, installation of first floor windows to provide 2no additional residential units and alteration to shop front.		None	OBJECTION on the grounds of : <ul style="list-style-type: none"> • Overdevelopment • Reduction of footprint for retail outlets. • Detrimental to the Streetscene • Does not comply with the proposed Local Plan Policy. <p>Note: Application fails to mention change of use from a cafe to an estate agency.</p>
LIMIT	03.02.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	13/2303/VAR	<p><u>ADDENDUM</u> 18 St Andrews Road Mr H Western Variation of Condition 4 of planning permission 11/0447/FUL to allow ground and first floor windows on elevation facing Cleveland Place to be openable.</p> <p><u>Amended Plans</u> Amended elevations, floor plans and statement clarifying the windows which are to be obscured and fixed.</p>		None	NO OBJECTION to amended plans
LIMIT	27.01.14				

P14/014. ITEMS FOR CONSIDERATION

1. Licensing Act 2003 – Premises Licence Minor Variation Applications

Name of Applicant: Haven Leisure Ltd
Ward: Littleham

Premises: Devon Cliffs Holiday Park – Owners Exclusive Lounge
Ref No :035801

PROPOSED VARIATION

To amend Annex 2 Condition 14 regarding proof of age.

Premises: Devon Cliffs Holiday Park –Caponess, Bugsys, Mash & Barrel & Cafe
Ref No : 035799

PROPOSED VARIATION

To amend Annex 2 Condition 53 regarding proof of age.

Premises: Devon Cliffs Holiday Park – South Beach Cafe
Ref No :035800

PROPOSED VARIATION

To amend Annex 2 Condition 10 regarding proof of age.

The current condition for the above licenses is:

Staff will only accept passports or photographic driving licences as proof of age”

The proposed variation of the condition is:

1. A picture driving licence
2. Passport
3. PASS accredited proof of age card
4. Any other form of identification as approved or prescribed by the Secretary of State as a mandatory condition.

Last Date for receipt of representations by the Licensing Authority **21 January 2014**

RESOLVED: No Objection

Note: Councillors M Chapman and S Gazzard left the room whilst discussion took place as they had previously declared a personal interest.

2. Licensing Act 2003 – Premises Licence Application (Ref No : 035802)

Premises: Co-Op 190B Exeter Road, Exmouth, Devon, EX8 3EA

Name of Applicant: The Southern Co-Operative Ltd

Ward: Halsdon

PREMISES LICENSE APPLICATION

Premises Open Hours requested Time From Time To
Monday to Sunday 6:00am 11:00pm

Activities - Times requested Time From Time To
Supply of alcohol for consumption OFF the premises only
Monday to Sunday 8:00am 11:00pm

CONDITIONS OFFERED BY APPLICANT

1. All staff will be trained in the law and their responsibility in selling alcohol
2. CCTV will be provided within the store
3. A refusals log will be maintained
4. A challenge 25 policy will be adopted

Last Date for receipt of representations by the Licensing Authority **04 February 2014**

RESOLVED: No Objection

Note: Councillors M Chapman and S Gazzard left the room whilst discussion took place as they had previously declared a personal interest.

P14/015. ITEMS FOR INFORMATION

1. Tree Preservation Order

Proposal – Woodland to the southeast of Homeleigh, St Johns Road

TPO No: 13/0022/TPO

The above tree preservation order had been confirmed by EDDC Arboricultural Team.

2. Tree Preservation Order

Proposal : Land and adjacent to the property known as Homeleigh, St Johns Road

TPO No: 13/0021/TPO

The above tree preservation order had been confirmed by EDDC Arboricultural Team.

**3. Licensing Act 2003 – Premises Licence Variation Application (Ref No. PLNA0009)
Premises: Best Kebabs, Unit 3, 7-9 Rolle Street, EX8 1HL
Ward: Town**

This application had been rejected following failure by the applicant to comply with the display of notice regulations. We would be advised if the application is re-submitted. See urgent item number 2.

**4. Appeal Ref: APP/TPO/U1105/3455
13/1319/TRE St Hilarian 23 Portland Avenue**

The appeal was dismissed on 16th December 2013.

P14/016. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS

APPLICATION	EXMOUTH TOWN COUNCIL VIEW	EDDC DECISION	DATE OF EDDC DECISION
13/2537/FUL 11 Sarlsgate Road	No Objection	Conditional Approval	24.12.13
13/2606/FUL Anglesea Maer Lane	No Objection	Approval	24.12.13
13/2584/FUL 10 Bicton Place	No Objection	Approval	04.01.14
13/2585/LBC 10 Bicton Place	No Objection	Conditional Approval	04.01.14
13/2185/LBC The Coach House Courtlands Lane	Objection	Refusal	10.01.14
13/2207/FUL The Coach House Courtlands Lane	Objection	Refusal	10.01.14
13/2580/FUL 30B Cranford Avenue	No Objection	Approval	08.01.14

Please note that all Decisions received from East Devon District Council are available on request for inspection in the office.

NOTE: It was formally noted that the participation of those Councillors who are also members of the East Devon District Council in both the debate and subsequent vote (in respect of any of the above matters) was on the basis that the views expressed were preliminary, taking account of the information presently made available to the Town Council. The District Councillors reserved their final views on the applications until they were in full possession of all the relevant arguments for and against.

The meeting closed at 18:45

SIGNED:..... DATED:.....