

EXMOUTH TOWN COUNCIL

MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON MONDAY 4th AUGUST 2014 AT 6.00 P.M.

PRESENT: Councillors: L Elson (Acting Chairman)

M Chapman	T Dumper
S Gazzard	B Nash (attending for Littleham Ward)
C Nicholas	B Taylor
B Toye	R Turner
E Wragg	

APOLOGIES: S MacQueen & A Greenhalgh

PUBLIC SPEAKING TIME

The meeting was adjourned for:-

Jessica Gittoes, Project Planner for Lightsource, who spoke in support of 14/1560/MFUL Land to the west of St. Johns Road – Solar Farm.

Mr S Waters-Adams and Mr & Mrs R Colville-Hyde who spoke against 14/1460/FUL Exmouth Community College – resurfacing of sports pitch and installation of floodlighting.

Mr Rob Rooksby, Teacher at Exmouth Community College, who spoke in support of the above application 14/1460/FUL.

Note: The applications stated above were discussed immediately after the Public Speaking Time. The Chairman then reconvened the Planning Meeting.

P14/112. MINUTES

The Minutes of the meeting held on 21st July 2014 were approved and signed as a correct record.

P14/113. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS

Councillor Lynne Elson declared a personal interest in respect of planning application 14/1460/FUL, Exmouth Community College, as her sister was a Governor/Trustee and chair of the Finance Committee for the College and Councillor B Nash as he had relatives who attended the College.

Councillor M Chapman for agenda item 7 as she was a member of EDDC Licensing Committee.

Councillor S Gazzard in respect of 14/1768/FUL Mamhead Slipway.

Councillor E Wragg In respect of 14/1730/FUL 48 Rolle St as her sister had a relative by marriage that was involved in a business matter with the company at that address and wished to leave the room when the application was discussed.

P14/114. URGENT BUSINESS

There were no items of urgent business.

P14/115. To Determine Applications under Delegated Powers.

		APPLICATIONS FOR DETERMINATION	COMMENTS	STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS	DECISION
WARD	Brixington				
PLAN No:	14/1516/TRE	4 Shirley Close Mrs Harvey T1, T2 & T3, Turkey Oak - Thin crowns by 10% with cuts no greater than 50mm, T4, Oak - Reduce crown by 1m all round.		Tree Officer's Report – in respect of T4 Oak a split branch within the upper crown was identified when storm damage work was undertaken earlier this year. A request for crown reduction of the tree had been submitted to address that situation and to rebalance the tree. T1, T2 & T3 Turkey Oaks – a second request for work to the trees would collectively make a significant contribution to the amenity and character of the area. This request to thin crowns would not affect the amenity value of the trees or their condition. Recommendation for approval with an informative to be issued for tree management by removal of suppressed trees and some crown lifting on the Turkey Oaks to increase light levels under the trees.	Approval in line with the Tree Officer's report.
LIMIT	11.08.14				

		APPLICATIONS FOR DETERMINATION	COMMENTS	STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS	DECISION
WARD	Halsdon				
PLAN No:	14/1562/ADV	190B Exeter Road Southern Co-operative Mr G Taylor Display of 1 no externally illuminated fascia sign, 1 no non-illuminated hanging sign, 4 no non-illuminated poster cases, 6 no window vinyl graphic signs and 1 no non-illuminated store directory sign			Approved with a condition that the externally illuminated fascia sign was switched off outside trading hours.
LIMIT	25.08.14				

		APPLICATIONS FOR DETERMINATION	COMMENTS	STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS	DECISION
WARD	Littleham				
PLAN No:	14/1561/TCA	<p>7 Louisa Terrace Mr Simon Long T1-Sycamore: Crown-raise eastern side of canopy to 7m above ground G1-Elm: Reduce to 1 to 1.5m above ground level G2-Sycamore and Sweet Chestnut: Prune back growth to western boundary.</p>		<p>1 x Rep – objects to the reduction of the trees as they currently shield the proposed Premier Inn. Tree Officer’s Report – G1 – Elm – The small thicket of Elm Trees was covered in bramble and bindweed on the southern boundary seen from the public open space of The Pavilion. The work was to effectively coppice the trees at 1-1.5 metres. G2 – Multi-stemmed Sycamore and Sweet Chestnut – the trees were relatively insignificant and the removal of overhanging foliage would not significantly affect the amenity. T1 – Sycamore – an individual and significant tree with a high level of public amenity. The proposed works would have unbalanced the form of the tree and reduced its amenity value. The applicant considered a revised proposal of a minor crown lift and removal of a select few low branches which would leave the tree with a well balanced crown form and would not affect the amenity value.</p>	Approval in line with the Tree Officer’s report.
LIMIT	11.08.14	Recommendation for approval of G1 & G2 plus approval of the revised scheme for T1 Sycamore.	←←←←←←←←		

P14/116. To consider the Planning Applications for consultation set out below

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Brixington				
PLAN No:	14/1487/FUL	11 Anson Road Mr A Bentley Single storey extension and decking to rear of property		None	No Objection
LIMIT	07.08.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1560/MFUL	Land To The West Of St Johns Road, Bystock Farm Lightsource Installation and operation of a solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, fence and pole mounted security cameras	Highways – A report had been previously circulated to members with the addition of various consultee reports.	Original letter of support and one objection. Since the last meeting there had been a further letter of support and one which sought clarification of issues connected with trees and wildlife in the area.	Councillors stated that they were not against the provision of solar farms in general but were concerned that the site was outside the East Devon Local Plan and voted by majority to further object to the application on the grounds that a geophysical & archaeological survey had not been carried out on the dry ponds that were prone to flooding from underground springs. No Conservation response had been received. Continued ...
LIMIT	12.08.14		579		

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1560/MFUL	Land To The West Of St Johns Road, Bystock Farm Lightsource			Continued English Heritage had requested more information on the reflection of the solar panels particularly across the Exe Estuary. Highways had requested further information. If members were to receive information as requested they would be happy to re- discuss the application.
LIMIT	12.08.14	<u>DEFERRED ITEM FROM PREVIOUS PLANNING MEETING</u>			
PLAN No:	14/1674/RES	Elgin Bassetts Gardens Mr Stephen Forster Construction of dwelling (approval of reserved matters appearance, landscaping, scale and layout pursuant to outline application 13/2589/OUT)		None	No Objection
LIMIT	15.08.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Halsdon				
PLAN No:	14/1460/FUL	<p>Exmouth Community College Gipsy Lane Trustee Board Exmouth Academy Resurfacing of sports pitch and installation of floodlighting</p> <p>Amended plans Proposed light spillage plan and technical document.</p> <p><u>DEFERRED ITEM FROM PREVIOUS PLANNING MEETING</u></p>	<p>Note: Cllrs. L Elson & B Nash had previously declared a personal interest. Cllr. S Gazzard declared a personal interest as he was a supporter as reference had been made to usage of the proposed sports pitch by Exeter City Football Club.</p>	A further 4 objections had been received on similar lines to the previous objections with the addition of the possibility that bats were present in a nearby hedgerow.	<p>04.08.2014 – OBJECTION ON THE GROUNDS OF:- Concern regarding flood light intrusion into the neighbouring properties which may have been alleviated should an illustration of the new flood lighting system have been made available. Councillors had been informed at the meeting that replacement flood lighting would not be as intrusive as the current flood lighting on the pitch. Continued ...</p>
LIMIT	04.08.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1460/FUL	Exmouth Community College Gipsy Lane Trustee Board Exmouth Academy Continued ...			Continued ... Does not meet the criteria of Policy C2 (Local Community Facilities) of the East Devon Local Plan which states that:- The proposal would be compatible with the character of the site and its surroundings; The site is accessible by a variety of types of transport, including walking and cycling and the amount of traffic generated by the proposal could be accommodated
LIMIT	04.08.14				Continued ...

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1460/FUL	Exmouth Community College Gipsy Lane Trustee Board Exmouth Academy Continued ...			on the local highway network without harming road safety; The proposal would not be detrimental to the amenity of neighbouring residents by reason of undue noise or traffic.
LIMIT	04.08.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1731/FUL	2 Belle Vue Road Mr A Shelton Single and two storey rear extension			No objection
LIMIT	06.08.14				
WARD	Littleham				
PLAN No:	14/1542/MFUL	34 Douglas Avenue UKRD Limited Demolition of hotel and construction of 9 houses, conversion of existing annexe to 2 dwellings and construction of detached car port	Cllr. B Nash gave an overview on a report received from Cllr. S MacQueen in support of the proposal.		No objection. A request was made for SWWA to confirm sewerage capacity for the development.
LIMIT	07.08.14				
PLAN No:	14/1740/FUL	Chantun Foxholes Hill Mr Andrew Dyer Construction of dormer window to north elevation and two dormer windows to south elevation			No objection
LIMIT	14.08.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1785/FUL	15 Claremont Grove Mr Alan Powell Creation of new vehicular access and provision of parking area			No objection
LIMIT	14.08.14				
PLAN No:	14/1673/FUL	Flat 1 Kingsdon Hall 32 Douglas Avenue Mr P Miners Replacement windows and replace cladding with render			No objection
LIMIT	15.08.14				
WARD	Town				
PLAN No:	14/1767/LBC	Exmouth Sea Wall Esplanade Ms A Hayward (EDDC) Removal of wall adjoining the western face of the listed sea wall, cleaning of the western end of the listed sea wall and re-pointing to enable the redevelopment of the slipway proposed under application 14/1768/FUL	Highways – did not wish to comment.		No objection
LIMIT	18.08.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1768/FUL	Mamhead Slipway Mamhead View Ms A Hayward (EDDC) Redevelopment of Mamhead slipway and Mamhead View Gardens to provide realigned and enlarged slipway with associated vehicle manoeuvring agree. Provision of construction site compound to the Esplanade opposite Morton Crescent.	Highways give standing advice.	3 x Reps – objected on the grounds of loss of public amenity – the gardens were highly used and attractive to tourists. Increased danger to pedestrians accessing and exiting the Marina on the sea wall side of the Esplanade. Hazardous design of pedestrian access to the footpath on the seaward side of the sea wall. Loss of on road parking would add to parking issues in the area. Concern about access and exit from Morton Crescent entrance would be made dangerous due to the planned building storage. The building machinery storage area would create noise within a residential setting and was inappropriately placed and would have to endure bad weather conditions.	No objection. The committee asked that EDDC approach DCC Highways so consideration be given to a white line being painted along the centre of the road, particularly on the bend near the Beach Hotel, to improve traffic safety plus concern was shown on cars with trailers accessing the slipway via Victoria Rd and whether it should be one way. Continued ...
LIMIT	15.08.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1768/FUL	Mamhead Slipway Mamhead View Ms A Hayward (EDDC) Continued ...			Continued ... A condition be applied to the usage of the construction site compound to restrict its usage before 7.30am and after 6pm so as to protect the amenity of the area for residents during the construction period.
LIMIT	15.08.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1730/FUL	The Maisonette 48 Rolle Street Bains & Co First floor office infill extension above existing offices	Cllr. I Stewart – wished to support the application as it was a much needed space to accommodate new staff to enable a local business to expand. Cllr. E Wragg left the room whilst discussion took place. Highways – did not wish to comment.	2 x Reps – object on the grounds that the extension was of a crude design and not aesthetically in-keeping with the adjoining property and would block the light to the living rooms of 14 Bicton Place.	Objection as the materials to be used were out of keeping with surrounding buildings and loss of light to neighbouring properties.
LIMIT	06.08.14				
PLAN No:	14/1417/FUL	Former Gas Depot Fore Street Ms S Bryant Installation of photovoltaic panels to flats approved under planning permission 10/0235/MFUL	Conservation – did not wish to comment.		No objection. The Committee requested that applications where the work had already been carried out were registered as retrospective applications by EDDC.
LIMIT	05.08.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1429/VAR	Former Gas Depot Fore Street Ms S Bryant Variation of condition to application 10/0235/MFUL (construction of 18 flats, comprising of 7 one bedroom and 11 two bedroom) to amend the approved plans to allow alterations to the parking and drying areas to provide cycle parking and to provide windows to the East Building balcony/corridor.	Conservation – did not wish to comment.		Objection on the basis that the car parking had been eliminated from the original approval.
LIMIT	07.08.14				
PLAN No:	14/1729/FUL	1A South Street Diadin Ltd Demolition of existing structures and construction of 8 dwellings	Highways, Natural England, Contaminated Land, Devon County Archaeologist, Environmental Agency/Health reports had been distributed to members.	1 x Rep – the proposed flats could overlook the garden of a neighbouring property. The material to be used for one of the walls was new brick and not in-keeping with the rest of the old granite building. 2 x letters of support as the development would be a vast improvement on the derelict disused and unsafe brown field site and would provide much needed small housing and starter apartments.	No objection. Consideration be given to solving the run off of water from the site which collected on the opposite side of the road for considerable periods of time.
LIMIT	06.08.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/1275/FUL	<p><u>ADDENDUM</u></p> <p>1-2 The Strand Coral Racing Limited Installation of new shopfront. Two satellite dishes and two air conditioning units on rear elevation</p> <p><u>Amended Plans</u> Amendments relate to Condenser Plant Noise Assessment</p>			No objection subject to Environmental Health monitoring the noise level of the two air conditioning units.
LIMIT	12.08.14				
WARD	Withycombe Raleigh				
PLAN No:	14/1639/VAR	<p>Tesco Salterton Road Tesco Stores Ltd Variation of Condition 2 to 14/0260/FUL to move position of the retail kiosk by 2m to allow the provision of a trolley store.</p>		1 x Rep – objects to the noise that the retail kiosk would create.	No objection
LIMIT	06.08.14				
PLAN No:	14/1641/FUL	<p>12 Masey Road Mrs Shona Morley Single storey rear extension</p>			No objection
LIMIT	07.08.14				

P14/117. ITEMS FOR CONSIDERATION

- (i) **Devon County Council Street Cafe Licence Application at The Place Coffee Shop, The Strand, EX8 (next to bnatural)**
Applicant: Mr Daniel Takvoryan
Ward: Town

A copy of the application and plan was attached.

The committee has been asked to respond by 12th August 2014.

The Committee had no objection to the application subject to the siting of the table and chairs meeting DCC standards.

Note: Cllr. M Chapman had previously declared an interest and left the room for this item.

P14/118. ITEMS FOR INFORMATION

- (i) **Town & Country Planning Act 1990 Planning Appeal**
Reference APP/U1105/A/14/2221700
Location: 6 Sarlsdown Road, EX8 2HY
Appeal by: Mr M Martineau
Proposal: Construction of detached dwelling (outline application with matters of appearance, layout, scale, landscaping & access reserved)
Ward: Littleham

Planning Application Number: 14/0224/OUT

A copy letter was attached from EDDC dated 14th July 2014, which confirmed an appeal was lodged in connection with the above matter. Any representations on the Appeal should be received by the Planning Inspectorate no later than the 13th August 2014.

Noted.

- (ii) **New Planning Legislation – Change of Use**

New legislation brought in by the government in May last year now permits the change of use from any of the following uses:

A1 (shop),
A2 (financial and profession service),
A3 (restaurant and cafe),
A4 (drinking establishment),
A5 (hot food takeaway),
B1 (business),
D1 (non-residential institution), or
D2 (assembly and leisure)

to any of the following uses for a single continuous period of up to two years:

A1 (shop),
A2 (financial and profession services),
A3 (restaurant and cafe), or
B1 (business) use.

This is subject to the floor space being used being no more than 150 sqm.

Given this new legislation, Cafe Nero did not need to apply for planning permission to change the use of the shop to a cafe for a 2 year period. Following the 2 year period they would need to apply for permission.

EDDC advised that Cafe Nero's floor space associated with the cafe was 116sqm.

The Committee asked that the Town Council write to DCC Licensing Department to alert them to the Health & Safety issues of pavement cafes with the Magnolia Centre which were subjected to high winds which resulted in trays with hot drinks being blown around.

P14/119. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS

APPLICATION	EXMOUTH TOWN COUNCIL VIEW	EDDC DECISION	DATE OF EDDC DECISION
14/0853/FUL 6A Mount Pleasant Avenue	No Objection	Approval	15.07.14
14/1243/FUL 85 Bradham Lane	No Objection	Approval	15.07.14
14/1465/FUL 16 Byron Way	No Objection	Approval	15.07.14
14/1020/FUL Manor Lodge 8 Portland Avenue	No Objection	Conditional Approval	17.07.14
14/1237/FUL 35 The Strand	No Objection	Conditional Approval	17.07.14
14/1390/COU 18 Parade	No Objection	Conditional Approval	17.07.14
14/1474/FUL 27A Douglas Avenue	No Objection	Approval	17.07.14
14/1412/FUL 35 Denmark Road	No Objection	Approval	19.07.14
14/0689/FUL 23 Chapel Street	Objection	Conditional Approval	25.07.14

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 7.38 pm.

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