

## EXMOUTH TOWN COUNCIL

### MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON MONDAY 1<sup>st</sup> SEPTEMBER 2014 AT 6.00 P.M.

**PRESENT:** Councillors: S MacQueen (Chairman)

M Chapman	T Dumper
L Elson	S Gazzard
A Greenhalgh	C Nicholas
B Taylor	B Toye
R Turner	E Wragg

**APOLOGIES:** None

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#### **PUBLIC SPEAKING TIME**

The meeting was adjourned for:-

Mr P Treasure to speak against 14/2037/FUL 58 Halsdon Ave – raising of the roof to accommodate a loft extension.

Aimee Luxton to speak against 14/1958/FUL Sunny Slope Bicton Villas - Conversion of existing house into 2 no dwellings including construction of 2 storey extension

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

#### **P14/128. MINUTES**

The Minutes of the meeting held on 18<sup>th</sup> August 2014 were approved. Cllr T Dumper wished it to be noted that under urgent business planning application 14/1460/FUL, Exmouth Community College, that he voiced his concern about the noise impact which would affect the residents of Grange Avenue.

#### **P14/129. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS**

Councillor L Elson declared a personal interest in respect of planning application 14/2037/FUL, 58 Halsdon Avenue, as Mrs Nelson of number 56 Halsdon Avenue was a volunteer for her employer Hospiscare.

Councillor S Gazzard declared a personal interest in respect of tree application 14/1882/TRE, Copse at Truro Drive, as he was a District Councillor for the applicant EDDC.

#### **P14/130. URGENT BUSINESS**

##### **(i) Standing Orders**

The Chairman requested that members gave consideration to an amendment to Standing Orders which would allow members of the Planning Committee to nominate a reserve who could attend a Planning Committee meeting in their absence and be allowed to vote. Ex-officios who attend in the capacity of a reserve would be allowed to vote.

**RESOLVED:** It was unanimously agreed that each member of the Planning Committee elect a reserve who would attend in their absence and have the right to vote. Councillors would also reserve their right to change their views at Development Management Committee.

(ii) **Town Ward**

**14/1492/FUL & 14/1490/LBC 36-37 The Strand**

Internal & External alterations to enable change of use to a restaurant.

**Amended Plans**

Removal of external flue, reinstatement of the chimney. Reinstatement of the other external lobby.

**Target Date:** 11.09.14

Amended plans submitted in response to the Conservation Officer's report.

Letter from Exmouth Civic Society recently received which stated that should the Conservation Officer and other consultative bodies be supportive then they consider that the application should be approved.

Environmental Health

Commented: Mon 01 Sep 2014

They had considered the application and had concerns relating to environmental health issues. They had contacted the agent and left a message for him to ring back and discuss application as further information may be required. They would make final comments once this has been concluded.

**RESOLVED: Defer and delegate the decision to the Town Ward Councillors and the Chairman once the Conservation Officer's final report had been received.**

**P14/131. MATTER ARISING**

**Agenda Item 14 on the Town Council Agenda to discuss and agree a revised public speaking policy for the Planning Committee**

Cllr Maddie Chapman asked members to vote and agree that they were happy with the policy as it stood.

**RESOLVED:** It was unanimously agreed that the Public Speaking Policy required no changes.

**P14/132. To Determine Applications under Delegated Powers.**

		<b>APPLICATIONS FOR DETERMINATION</b>	<b>COMMENTS</b>	<b>STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS</b>	<b>DECISION</b>
<b>WARD</b>	<b>Brixington</b>				
<b>PLAN No:</b>	14/1882/TRE	Copse At Truro Drive <b>East Devon District Council</b> T866 - Oak - Reduce tree height down to approx 13 metres. Reduce western aspect back to a radius of 9 metres. Reduce northern aspect back to a radius of 7 metres. T2 - Maple - fell.	<b>Note:</b> Cllr S Gazzard had previously declared an interest.	<b>1 x letter of support</b> – from a neighbour who were hopeful that the Oak tree would be felled as it leant at a 70 degree angle over their garden and were concerned about their grandchildren. <b>Tree Officer’s report</b> – the Oak tree had a lean to the West and a number of branches in the upper crown were damaged in the winter storms. Following an EDDC safety inspection the request for works to the Oak tree were requested to balance the form of the tree and prevent further branch failure and crown break up. T2 a maturing tree was growing in insufficient space and is searching for light. Removal would be seen as a thinning operation. <b>Recommendation for approval</b> for works requested as they were considered appropriate management, following safety recommendations, for trees growing in a public park.	<b>Approval in accordance with the Tree Officer’s report.</b>
<b>LIMIT</b>	22.09.14				

		APPLICATIONS FOR DETERMINATION	COMMENTS	STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS	DECISION
<b>WARD</b>	<b>Withycombe Raleigh</b>				
<b>PLAN No:</b>	14/1829/TRE	Homeleigh St Johns Road <b>Mr Paddy Faircloth</b> T1 Monterey Cypress - crown clean to remove broken and split branches, prune lowest branch growing to south east to give 5 metre clearance over adjacent property.		<b>Tree Officer's report</b> – This was a mature tree which could be seen above the roofline of the adjacent bungalow and made a positive contribution to the amenity of the area and adds to the wooded rural feel of the locality. The winter storms had damaged the crown and split one structural branch. <b>Recommendation for approval</b> as the works were considered appropriate	<b>Approval in accordance with the Tree Officer's report.</b>
<b>LIMIT</b>	22.09.14				

**P14/133. To consider the Planning Applications for consultation set out below**

		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>WARD</b>	<b>Halsdon</b>				
<b>PLAN No:</b>	14/1967/FUL	Byways 1 Halsdon Lane <b>Mr S Allard</b> Demolition of bungalow and construction of replacement two storey dwelling		None	<b>No Objection</b>
<b>LIMIT</b>	11.09.14				

		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>PLAN No:</b>	14/1944/PMB	Land South Of Courtlands Lane <b>Mr B Penny</b> Prior approval of proposed Change of Use of Agricultural Building to dwelling house and Associated Operational Development	<b><u>Prior Notification Application</u></b> The presumption was that this development could proceed without requiring planning permission unless we objected on grounds of transport and highways impact, noise impacts, contamination risks on the site, flooding risks on the site and/or whether the location or siting of the building made it otherwise impractical or undesirable for the building to change to a dwelling.  <b>Environmental Health</b> did not anticipate any Environmental Health concerns.  <b>Cllrs. J Elson &amp; P Stott</b> objected to the application as the building had permission to be used as stables and was not an agricultural building so would need full planning permission.	<b>5 x Reps –</b> who objected on the grounds that Courtlands Lane was very narrow and could not cope with current usage. It would set a precedent for other agricultural buildings in the area. The proposal was part of a green wedge within/adjacent to a coastal preservation area. Permission would encourage the practice of “infilling” to create a continuous ribbon of dwellings.	<b>Objection as the application is not eligible to be approved as a Prior Notification Application as its current use was stables. The building would have to have been registered as an agricultural building since 20.03.13. Even if EDDC were minded to approve under PMB the Committee objects on the grounds of the Highway impact and other applications for buildings in the area had been refused. The proposal was sited on what remains of a very thin “Green Wedge” between Exmouth and Lympstone.</b>
<b>LIMIT</b>	02.09.14				

		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>PLAN No:</b>	14/1493/FUL	<p>76 Halsdon Avenue  <b>Mr &amp; Mrs Tate</b>            Single storey rear extension incorporating a flue, enlarged dormer on north-east elevation and insertion of roof lights on south elevation.</p> <p><b>Amended Plans</b>            Increased height of flue serving wood burner.</p> <p><b>Further Amended Plans</b></p>	<p><b>Town Council</b> objected to original application on the 07.07.14 on the grounds of out of keeping, overlooking &amp; overbearing. Concerned that the flue terminated at the height of the bedroom windows &amp; wished for Environmental Health to investigate.</p> <p><b>Cllr J Elson</b> Design out of keeping with surrounding properties. Concerned over the height of chimney &amp; contamination of air quality from wood burning stove.</p> <p><b>Contaminated Land Officer</b> stated that where a flue was located on a single storey extension there would inevitably be a risk of smoke nuisance being caused to nearby properties, or even the applicants themselves, because the terminal would be in line with or below first floor window</p>	None	<p><b>Objection to the amended plans on the same grounds as before:-</b></p> <ul style="list-style-type: none"> <li>• out of keeping</li> <li>• overlooking</li> <li>• overbearing</li> </ul>
<b>LIMIT</b>	02.09.14				

		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
		76 Halsdon Avenue <b>Mr &amp; Mrs Tate continued.....</b>	<p>The principal of chimneys discharging above eaves level had been well established for many years and the reasons for it were well known to architects. The same would apply to wood burners or multi-fuel stoves. Therefore a solution in this case would be to dog-leg the flue internally so that it could be attached to the gable end of the main property. The discharge point should be at least 1m above the eaves of the gable wall, or preferably the ridge as a normal chimney stack would. The exit from the flue must be vertically upwards with no restriction affecting the dispersal of residual gases.</p> <p><b>Environmental Health</b> Accepted the revised drawings as the new proposed chimney height was sufficient to allow complete dispersion of wood burning smoke and recommended approval.</p>		
<b>LIMIT</b>	02.09.14				



		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
<b>PLAN No:</b>	14/2037/FUL	58 Halsdon Avenue <b>Mr And Mrs M May</b> Raising of roof to allow loft conversion to enable further accommodation; installation of roof lights to side elevations (not obscure glazed).	<b>Note:</b> Cllr L Elson had previously declared a personal interest.  <b>Highways</b> do not wish to comment.	Mr P Treasure spoke against this application during the Public Forum. His property's back garden shared a boundary with the applicants back garden. The rear window & rooflight (not obscure glazed) would overlook their back garden & house resulting in a loss of privacy.	<b>Objection on the grounds of overlooking of the property at the rear.</b>
<b>LIMIT</b>	10.09.14				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
<b>WARD</b>	<b>Littleham</b>				
<b>PLAN No:</b>	14/1958/FUL	Sunny Slope Bicton Villas <b>Mr R Burford</b> Conversion of existing house into 2 no dwellings including construction of 2 storey extension	<b>Miss A Luxton</b> spoke against this application during the Public Forum.  <b>Cllr. M Williamson</b> had no objection subject to measures being undertaken to avoid overlooking of neighbours.  <b>Highways</b> did not wish to comment.	<b>5 x Reps</b> – who objected as it was overdevelopment, would ruin its age and status and create more need for on street parking. Would have a detrimental effect on the communal garden of Montpelier Court. Create noise and loss of light to 4 surrounding properties, in particular The Cottage which would be dwarfed by the height and length of the 2 storey extension.	<b>Objection on the grounds that the extension was:-</b> <ul style="list-style-type: none"> <li>• <b>Out of character with the open and spaciousness of surrounding plots.</b></li> <li>• <b>Detrimental effect to the amenity of the neighbouring properties due to overlooking which would result in loss of light and privacy in particular to the ‘Cottage’.</b></li> <li>• <b>Contravenes Policy D1 of the Local Plan.</b></li> </ul> <b>However the Committee approved in principle the conversion of the house into 2 dwellings, no extension.</b>
<b>LIMIT</b>	01.09.14				

		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>WARD</b>	<b>Withycombe Raleigh</b>				
<b>PLAN No:</b>	14/1961/FUL	11 Prince Charles Close <b>Mrs Rachel Klampfer</b> Construction of two storey side extension	<b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	02.09.14				

**P14/134. ITEMS FOR INFORMATION**

- (i) **Town & Country Planning Act 1990 Planning Appeal**  
**Reference APP/U1105/A/14/2216650**  
**Location: Land North & West of Courtlands Cross, Courtlands Lane**  
**Appeal by: Strategic Land Partnerships**  
**Proposal: Outline application for construct of 33 dwellings and associated space.**  
**Ward: Sub District**  
**Planning Application Number: 13/2025/MOUT**

A copy letter was attached from EDDC dated 14<sup>th</sup> August 2014, which confirmed arrangements for the forthcoming inquiry in connection with the above matter.

However a further letter had since been received dated 27<sup>th</sup> August which advised that the appeal had now been withdrawn & therefore the public enquiry on the 7<sup>th</sup> October had been **cancelled**.

- (ii) **Town & Country Planning Act 1990 Planning Appeal**  
**Reference APP/U1105/A/14/2223721**  
**Location: Land North of Main Cottage Old Bystock Drive**  
**Appeal by: Bystock Trust**  
**Proposal: Construction of detached dwelling and garage**  
**Ward: Brixington**  
**Planning Application Number: 13/2364/FUL**

A copy letter was attached from EDDC dated 18<sup>th</sup> August 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 **22<sup>nd</sup> September 2014.**

- (iii) **Notice of Intention to Install Electronic Communications Apparatus – Various Locations.**

A copy letter was attached from the Harlequin Group for information.

- (iv) **Town & Country Planning Act 1990 Planning Appeal**  
**Appeal Reference APP/U1105/A/14/221701**  
**Proposal: Extension to existing building to create new dwelling**  
**Location: 2 Dagmar Road, EX8 2AN**  
**Ward: Littleham**  
**Planning Application Number: 13/2353/FUL**

The above appeal was dismissed by the inspectorate on the 19<sup>th</sup> August 2014.

**P14/135. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS**

<b>APPLICATION</b>	<b>EXMOUTH TOWN COUNCIL VIEW</b>	<b>EDDC DECISION</b>	<b>DATE OF EDDC DECISION</b>
<b>14/1357/COU</b> <b>The Famous Ship</b> <b>High Street</b>	<b>Objection</b>	<b>Conditional Approval</b>	<b>09.08.14</b>
14/1558/FUL 28 Salterton Road	No Objection	Approval	09.08.14
14/1638/FUL 1 Bystock Mews	No Objection	Approval	09.08.14

14/1155/FUL 1 Dagmar Road	No Objection	Withdrawn	15.08.14
14/1730/FUL 48 Rolle Street	Objection	Refusal	19.08.14
14/1731/FUL 2 Belle Vue Road	No Objection	Approval	19.08.14
14/1487/FUL 11 Anson Road	No Objection	Con Approval	20.08.14
14/1697/FUL 17 Claredale Road	No Objection	Con Approval	20.08.14
<b>14/1332/FUL</b> <b>6 Portland Avenue</b>	<b>Objection</b>	<b>Con Approval</b>	<b>22.08.14</b>
14/1629/FUL 23 Holly Walk	No Objection	Approval	22.08.14
14/1641/FUL 12 Masey Road	No Objection	Approval	22.08.14
14/1785/FUL 15 Claremont Grove	No Objection	Approval	22.08.14

***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:.....