

## EXMOUTH TOWN COUNCIL

### MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON MONDAY 8<sup>th</sup> DECEMBER 2014 AT 6.00 P.M.

**PRESENT:** Councillors: L Elson (Acting Chairman)  
M Chapman                      T Dumper  
S Gazzard                        A Greenhalgh  
B Nash (Reserve for Littleham Ward)  
C Nicholas                        B Taylor  
B Toye                              R Turner

**APOLOGIES:** S MacQueen & E Wragg

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#### **PUBLIC SPEAKING TIME**

The meeting was adjourned for:-

Nick Newman spoke in support of his application 14/2614/ADV, 72 Cranford Avenue – Promotional banner measuring 11m in length by 1,2m height on storage unit (retrospective consent sought)

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

#### **P14/180. MINUTES**

The Minutes of the meeting held on 24<sup>th</sup> November 2014 were approved subject to an amendment made prior to the meeting which was in respect of an item under urgent business for the proposal for 150 new homes off Marley Road in respect of boundaries.

#### **P14/181. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS**

Councillors M Chapman and S Gazzard declared a personal interest in respect of Item for Consideration, item 1, Variation to License application for Namaste Himalaya Restaurant, as they sat on the Licensing Sub-Committee at EDDC who would decide on the application.

Councillor L Elson declared a personal interest in respect of planning application 14/2575/MFUL, Exmouth Community College, as her sister was Chair of Governors for the College.

#### **P14/182. URGENT BUSINESS**

**14/2353/FUL – Owls Cott, St Johns Lodge** – Amended site plan showed revised visibility splays for access onto St. Johns Road, receipt of Certificate B serving ownership notice on East Devon District Council – Target Date 17<sup>th</sup> December 2014

**No Objection to the amended plans**

P14/183. To Determine Applications under Delegated Powers.

|                 |                   | APPLICATIONS FOR DETERMINATION                                | COMMENTS | STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS  | DECISION  |
|-----------------|-------------------|---|----------|--|---|
| <b>WARD</b>     | <b>Brixington</b> |   |          |  |   |
| <b>PLAN No:</b> | 14/2566/FUL       | 149 Parkside Drive<br><b>Mr A Jarwood</b><br>T1 Walnut - Fell |          | <b>Tree Officer's report</b> – the early maturing Walnut was situated in a small garden 7 metres to the East of the house and had a high amenity value. It had limited space to grow further and pruning to provide long term clearance would damage its visual appearance and therefore its amenity value. The tree was too large for the available space and if retained would unreasonably dominate the house and garden.<br><b>Recommendation for approval</b> subject to a replacement tree being planted as close as practical to the same location, species to be picked from the 3 listed – Field Maple, Turkish Hazel or Fastigiata Pear so as to maintain continuity of tree cover and compensate for loss of amenity. | <b>Approval in accordance with the Tree Officer's report.</b> |
| <b>LIMIT</b>    | 10.12.14          |   |          |  |   |

|                 |             | <b>APPLICATIONS FOR DETERMINATION</b>  | <b>COMMENTS</b> | <b>STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS</b>  | <b>DECISION</b>   |
|-----------------|-------------|--|-----------------|---|---|
| <b>PLAN No:</b> | 14/2555/TRE | 72 Ivydale<br><b>Mr Kris Daniels</b><br>T724 - Lime - Cut back growth to give 3 metres clearance from building.<br>T725 - Oak - Fell |                 | <p><b>Tree Officer's report</b><br/>The healthy Lime tree had had previous work. A crown reduction to provide a 3 metre clearance on the SE side should relate to lower secondary branches only, (crown lifting) which would prevent excessive loss of leaf bearing material.</p> <p><b>Recommendation for approval</b> to provide 3m clearance from house, removing secondary branches only &amp; limiting pruning cuts to 75mm.</p> <p>The Oak, although healthy, would due to continual trunk expansion damage the retaining wall and was close to the house and likely to damage structures if retained.</p> <p><b>Recommendation for approval</b> as the Oak tree had a limited amenity value as it was barely visible from the road and park and will cause damage and dominate the rear corner of the house due to its higher location.</p> <p><b>Exmouth Civic Society</b><br/>Objected as insufficient reason was put forward to fell T725, other appropriate measures should be put in place.</p> | <p><b>Approval in accordance with the Tree Officer's report.</b></p> <p><b>Members requested guidance from the Tree Officer regarding suitable trees for small gardens for members to give the correct advice to residents.</b></p> |
| <b>LIMIT</b>    | 18.12.14    |  |                 |   |   |
|                 |             |  |                 |   |   |

|                 |                | APPLICATIONS FOR DETERMINATION  | COMMENTS  | STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS  | DECISION   |
|-----------------|----------------|---|---|--|--|
| <b>WARD</b>     | <b>Halsdon</b> |   |   |  |  |
| <b>PLAN No:</b> | 14/2708/TRE    | 9 Highbury Park<br><b>Mr M Newport</b><br>T1, Oak - Crown reduction by 2m making pruning cuts of up to 50mm diameter. | <b>Cllr. J Elson</b> supported the application. | <b>Tree Officer's report</b> – the Oak was located at the back of the house and only visible through a gap. It leaned quite heavily towards the house and was dominating the garden. The principle of reducing the tree was reasonable due to the lack of available space and its domination. The proposed works, although vague, would not adversely affect the visual amenity of the area.<br><b>Recommend a split decision</b> – <b>Approval</b> crown spread reduction of 2 metres NW/W & SW plus a crown height reduction of 2 metres with pruning cuts not to exceed 50 mm in diameter.<br><b>Refusal</b> for a crown reduction of 2 metres with a maximum cut of 50mm in diameter due to the vague works description. | <b>Split decision</b><br><br><b>Approval of crown spread reduction of 2 m NW/W &amp; SW plus a crown height reduction of 2m with pruning cuts not exceeding 50mm in diameter.</b><br><br><b>Refusal for crown reduction of 2m with max cut of 50mm in diameter due to the vague works description.</b> |
| <b>LIMIT</b>    | 08.01.15       |   |   |  |  |

|                 |                  | APPLICATIONS FOR DETERMINATION  | COMMENTS   | STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS | DECISION   |
|-----------------|------------------|---|--|---|--|
| <b>WARD</b>     | <b>Littleham</b> |   |  |   |  |
| <b>PLAN No:</b> | 14/2614/ADV      | <p>72 Cranford Avenue<br/>(Newmans Holiday Homes)<br/>Mr Nick Newman<br/>Promotional banner measuring 11m in length by 1.2m height on storage unit (retrospective consent sought)</p> <p>Nick Newman spoke in support during the Public Speaking.</p> | <p><b>Cllr. M Williamson</b> objected as the banner which was already in place was unsightly and distracting to drivers on a major highway.<br/><b>Highways</b> – did not wish to comment.</p> | None  | <p><b>Refusal on the grounds of:</b></p> <ul style="list-style-type: none"> <li>• Too big and dominant for the area.</li> <li>• Out of keeping with a mixed retail/residential area</li> <li>• Over bearing &amp; unsightly.</li> <li>• Already excessive level of clutter of signs.</li> <li>• Would set a precedent for other businesses in the area.</li> <li>• A distracting to drivers approaching the roundabout.</li> </ul> |
| <b>LIMIT</b>    | 24.12.14         |   |  |   |  |

|                 |             | <b>APPLICATIONS FOR DETERMINATION</b>   | <b>COMMENTS</b> | <b>STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS</b>  | <b>DECISION</b>   |
|-----------------|-------------|---|-----------------|---|---|
| <b>PLAN No:</b> | 14/1684/TRE | <p>Cranford Corner<br/>2C Cranford Avenue<br/><b>Mr S Tyler</b><br/>T1 Oak - Shorten by approximately 4m, back to live growth points, the branch growing towards the north west corner of the house and also the central stem which is dying back.<br/>T2 Yew - Reduce/reshape by removing up to 1m of growth</p> |                 | <p><b>Tree Officer's report –</b> The Oak had a high amenity value and currently had some dead wood in the crown which required some minor works which would not affect the amenity value.<br/><b>Recommendation for approval to agreed growth points.</b><br/>The Yew was healthy but had an unbalanced crown and re-shaping with a minor crown reduction would not affect its long term viability, health or amenity value.<br/><b>Recommendation for approval.</b></p> | <b>Approval in accordance with the Tree Officer's report.</b> |
| <b>LIMIT</b>    | 15.12.14    |   |                 |   |   |

P14/184.To consider the Planning Applications for consultation set out below

|                 |                | PROPOSED DEVELOPMENT   | COMMENTS | REPRESENTATIONS   | OBJ/NO OBJ   |
|-----------------|----------------|--|----------|---|--|
| <b>WARD</b>     | <b>Halsdon</b> |  |          |   |  |
| <b>PLAN No:</b> | 14/2671/FUL    | <p>40 Bapton Close<br/> <b>Mrs S Middleton</b><br/>                     Construction of enlarged dormer window to front elevation and dormer window to rear</p> <p><b>Amended plans for consultation.</b><br/>                     Relate to description changed "Construction of enlarged dormer window to front elevation". The rear dormer has been excluded from the description/application as its construction could be undertaken as permitted development, not requiring a specific planning permission.</p> |          | <p><b>2 x Reprs</b> – the large front dormer was visually unacceptable and incongruous.</p> | <p><b>No Objection to the front dormers.</b></p> <p><b>Members requested guidance from EDDC on planning policy legislation regarding permitted development for rear dormers.</b></p> |
| <b>LIMIT</b>    | 10.12.14       |  |          |   |  |
| <b>PLAN No:</b> | 14/2592/FUL    | <p>143 Exeter Road<br/> <b>Mr C Harris</b><br/> <b>ABC Day Nursery</b><br/>                     Retention of perimeter fences and 3 no gates</p>   |          | None  | <b>No Objection</b>  |
| <b>LIMIT</b>    | 18.12.14       |  |          |   |  |

|                 |             | <b>PROPOSED DEVELOPMENT</b>   | <b>COMMENTS</b>   | <b>REPRESENTATIONS</b>   | <b>OBJ/NO OBJ</b>   |
|-----------------|-------------|---|---|--|---|
| <b>PLAN No:</b> | 14/2752/FUL | Land South Of Courtlands Lane<br><b>Mr Penny</b><br>Construction of two detached dwellings and detached garages with new accesses off Courtlands Lane   | <b>Highways</b> – gave standing advice  | <b>2 x Reps</b> – both of whom supported the application and saw it as an obvious infill between current development in Courtlands Lane and the Courtlands Estate.<br><b>1 x Rep</b> – objected as any further development along this narrow congested dangerous lane would cause disruption and approval would set a precedent for further applications. The area had recently been flooded from heavy rains. | <b>Objection</b><br><br><b>Members requested that Highways &amp; SWW report about the concerns regarding water run from fields.</b>                     |
| <b>LIMIT</b>    | 22.12.14    |   |   |  |   |
| <b>PLAN No:</b> | 14/2575/FUL | Exmouth Community College<br>Gipsy Lane<br><b>Exmouth Community College</b><br>Demolition of five existing buildings to facilitate the construction of a new 16 classroom teaching block, replacement facilities management buildings and re-configuration of car parking and new boundary wall to Withycombe Village Road. | <b>Note:</b> Cllr L Elson had previously declared a personal interest.<br><br><b>Environment Agency</b> – objected initially as there had been no flood risk sequential test carried out in respect of educational buildings in Phase 2 which were located in a Flood Zone 3. | None   | <b>No objection subject to the Flood Risk sequential test requested by the Environment Agency and SWW report on the pump at the nearby sub-station.</b> |
| <b>LIMIT</b>    | 16.12.14    |   |   |  |   |

|                 |                  | <b>PROPOSED DEVELOPMENT</b>   | <b>COMMENTS</b>                      | <b>REPRESENTATIONS</b> | <b>OBJ/NO OBJ</b>   |
|-----------------|------------------|---|--------------------------------------|------------------------|---------------------|
| <b>WARD</b>     | <b>Littleham</b> |   |                                      |                        |                     |
| <b>PLAN No:</b> | 14/2587/FUL      | <p>Eastbrook &amp; Westbrook<br/>Maer Road<br/><b>Mr &amp; Mrs S &amp; G Wright</b><br/>Construction of two storey side extension incorporating dormer window to rear, single storey extension and pergola to rear, replacement detached garage at Eastbrook and construction of recessed balcony to front roof of Eastbrook and Westbrook.</p> <p><b>Amended plans for consultation</b><br/>Relate to reduction in height of proposed garage and amendment to window positions in proposed extension</p> | <b>Highways</b> did not wish comment | None                   | <b>No Objection</b> |
| <b>LIMIT</b>    | 10.12.14         |   |                                      |                        |                     |

|                 |             | PROPOSED DEVELOPMENT  | COMMENTS                             | REPRESENTATIONS   | OBJ/NO OBJ  |
|-----------------|-------------|---|--------------------------------------|---|---|
| <b>PLAN No:</b> | 14/2777/FUL | 10 Delderfield Gardens<br><b>Mr Balmer-Wellard</b><br>Proposed shed with balcony above adjacent to south east elevation of property | <b>Highways</b> did not wish comment | <b>1 x Rep</b> – objected to the proposed balcony as it would allow users to look into the master bedroom and bathroom of 11 Oldfields and invade the occupants privacy and lead to noise. A precedent could be set for other balconies in the area which would change the character of the area.   | <b>Objection to the balcony on the grounds that it was overlooking 11 Oldfields and would set a precedent. However would in principle approve the shed.</b> |
| <b>LIMIT</b>    | 11.12.14    |   |                                      |   |   |
| <b>WARD</b>     | <b>Town</b> |   |                                      |   |   |
| <b>PLAN No:</b> | 14/2755/FUL | 1A South Street<br><b>Development Partnership Ltd</b><br>Demolition of existing building and construction of 3 flats                |                                      | <b>1 x letter of support, 1 x Rep</b> who was concerned about replacing old materials with new and the extra pressure on parking. <b>Exmouth Civic Society</b> stated that the 3 units were extremely small and would prefer 2 units in the space. A request that the old northern elevation be replaced with like materials and not new red brick. | <b>No Objection in principle to the development but preference to 2 flats as opposed to 3.</b>  |
| <b>LIMIT</b>    | 11.12.14    |   |                                      |   |   |

|                 |                               | <b>PROPOSED DEVELOPMENT</b>  | <b>COMMENTS</b>                      | <b>REPRESENTATIONS</b> | <b>OBJ/NO OBJ</b>   |
|-----------------|-------------------------------|--|--------------------------------------|------------------------|---------------------|
| <b>WARD</b>     | <b>Withycombe<br/>Raleigh</b> |  |                                      |                        |                     |
| <b>PLAN No:</b> | 14/2722/FUL                   | 23 Elizabeth Road<br><b>Mr T Markham</b><br>Construction of replacement dwelling and garage  | <b>Highways</b> gave standing advice | None                   | <b>No Objection</b> |
| <b>LIMIT</b>    | 14.12.14                      |  |                                      |                        |                     |
| <b>PLAN No:</b> | 14/2791/FUL                   | 9 Burnside<br><b>Mr Michael Graham</b><br>Demolition of existing garage and construction of two-storey side extension incorporating front and rear dormer windows. | <b>Highways</b> did not wish comment | None                   | <b>No Objection</b> |
| <b>LIMIT</b>    | 16.12.14                      |  |                                      |                        |                     |

## P14/185.ITEM FOR CONSIDERATION

(i) **Licensing Act 2003 – Proposed Variation (038167)**

**Premises: Namaste Himalaya Restaurant, 8 High Street, EX8 1NN**

**Name of Applicant: Mrs Menuka Thapa Bohora**

**Ward: Town**

### **PROPOSED VARIATION**

Amend the licensing plan to show the current layout of the ground floor of the premises

Last Date for receipt of representations by the Licensing Authority

15 December 2014

### **RESOLVED: No Objection**

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

## P14/186. ITEM FOR INFORMATION

(i) **EDDC Trial of Public Speaking Changes at Development Management Committee**

Details of the trial changes at Development Management Committee that started on the 21<sup>st</sup> October were again attached for information. The section highlighted in yellow regarding Town Council representatives who wished to speak on applications was duly noted.

(ii) **Appeal Decision**

**Appeal Ref: APP/U1105/A/14/2223721**

**Land at Old Bystock Drive, Bystock Estate, EX8 5EQ**

**Ward: Brixington**

The above appeal was dismissed on the 19<sup>th</sup> November. The appeal decision notice was attached for information.

## P14/187.EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS

| <b>APPLICATION</b>                                      | <b>EXMOUTH TOWN COUNCIL VIEW</b> | <b>EDDC DECISION</b> |
|---|----------------------------------|----------------------|
| 14/2463/FUL<br>The Grove, Esplanade                     | Objection                        | Withdrawn            |
| 14/2149/FUL<br>Devon Cliffs Holiday Centre<br>Sandy Bay | No Objection                     | Conditional Approval |
| 14/2203/LBC<br>4 Castle Cottages<br>Castle Lane         | No Objection                     | Approval             |
| 14/2360/FUL<br>11 Spruce Close                          | No Objection                     | Approval             |
| 14/1767/LBC<br>Exmouth Sea Wall                         | No Objection                     | Conditional Approval |

|   |              |                         |
|---|--------------|-------------------------|
| 14/1768/FUL<br>Mamhead Slipway                          | No Objection | Conditional<br>Approval |
| 14/1820/FUL<br>Lavis's Boatman<br>6A Camperdown Terrace | No Objection | Conditional<br>Approval |

**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 18.56**

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