

EXMOUTH TOWN COUNCIL

MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON MONDAY 9th FEBRUARY 2015 AT 6.00 P.M.

PRESENT: Councillors: S MacQueen (Chairman)
M Chapman T Dumper
L Elson S Gazzard
A Greenhalgh C Nicholas
B Toye R Turner
E Wragg

APOLOGIES: Councillor B Taylor

PUBLIC SPEAKING TIME

The meeting was adjourned for:-

Colin Lewin, Geoff Copper, Ian Cann and Iain McNeill who spoke against application, 14/3022/MOUT – Land at Higher Marley Rd – Outline application for 150 residential dwellings.

Simon Wood spoke in support of his application 15/0223/FUL - 1 Dagmar Road - Change of use from hotel to 2 no town houses including external alterations and widening of existing vehicular access

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

P15/019. MINUTES

The Minutes of the meeting held on 26th January 2015 were approved.

P15/020. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS

Councillors M Chapman and S Gazzard declared a personal interest in respect of Item for Consideration, License application for Wings Bar, as they sat on the Licensing Sub-Committee at EDDC who would decide on the application.

Councillor L Elson declared a person interest in respect of planning application 15/0078/LBC Royal Beacon Hotel, The Beacon, as she was a patron to the business.

Councillor S Gazzard declared a personal interest in respect of planning application 14/2965/LBC 12 Bicton Street as he knew the applicant. Councillor E Wragg also declared a personal interest as the applicant had applied for funding from her county budget.

Councillor A Greenhalgh declared a personal interest in respect of planning application 15/0223/FUL 1 Dagmar Road, as she knew the applicant.

P15/021. URGENT BUSINESS

14/2881 – The Grove, Esplanade – Removal of existing balustrades and replacement clear balustrades

The omission of the Town Councils consultation response in the EDDC delegated Planning Officer's report was discussed. The Chairman had been advised by EDDC Planning that though the Town Councils response was not included in the report the comments had been taken into consideration. It was also noted in the report that the Ward Member 3 day consultation had not taken place and had been marked on the report as not applicable.

RESOLVED: to write to Richard Cohan to request an explanation on the procedure for Planning Applications to be called into Development Management Committee. Development Management procedures would be discussed again at the next meeting as an agenda item.

Brixington Ward – Amended Plan - 14/2353/FUL Owls Cott, St Johns Road-

Demolition of single storey dwelling and double garage, and construction of replacement 1.5.storey dwelling - **Revised window design and position** - No Objections had been received to amended plans - Target date: **18.02.15**

RESOLVED: No Objection to amended plan.

Littleham – Amended Plan - 14/2054/FUL Orcombe Lodge, 12 Foxholes Hill – Demolition of existing dwelling and creation of new vehicular access onto Foxholes Hill

The amendments related to a covered walkway and reduction in width between the house and garage (unit 4 only): Additional assessment for heritage. No Objections had been received to amended plans. Target Date: **18.02.15**

RESOLVED: No Objection to amended plan.

P15/022. Consider the Planning Applications for consultation set out below

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Brixington				
PLAN No:	14/3022/MOUT	<p>Land at Higher Marley Road Mr P Lee & Mr T Davey Outline application for the construction of up to 150 residential dwellings and associated parkland and open space seeking approval for access only (matters of appearance, landscape, layout and scale reserved)</p> <p>Note The Illustrative Master Plan (drawing no: IL31010-012) was superseded by a more detailed version received 29.01.15</p> <p>Colin Lewin, Geoff Copper, Ian Cann and Iain McNeill spoke during the public speaking time against the application.</p>	<p>104 x Representations on line plus 15 letters received at the Town Hall. Précis of representations on page 32.</p> <p>Objection – on the grounds that the proposed development was outside Exmouth’s housing development area and not included in the old or new local plan. An Environmental Impact Assessment had not been carried out. There was concern that the development would cause severe environmental damage in the area. Habitats for the rare “Barbastelle” & “Horseshoe” bats, birds from both the red and amber lists as well as sparrowhawks, owls, hedgehogs, foxes, dormice, fieldmice would be displaced.</p> <p>A TPO had been placed on a large number of trees and opposed the removal of any tree or hedgerow. The land had a number of underground springs and was frequently waterlogged with water runoff into Hulham Road (above Kings), Higher Marley Road and Dinan Way. Problems already existed downstream in areas such as Withycombe Brook with the erosion of its banks, believed to be due to streams being flooded by diverted water from previous developments. The higher area acted as a sponge to protect the effect of water in the Town. Concerned that all properties in Higher Marley Road had septic tanks or cesspool drainage discharging onto the site by percolation and would cause further problems. The site was 400m from the exclusion zone of the pebble bed heaths protected by Natural England. Highway infrastructure both carriageway and footways are completely inadequate with no footpaths. The narrowing of the road for one way priority would cause congestion especially if Hulham Road was closed. There was no room for road improvement. Inaccuracies were found in the transport statement regarding the bus services in the vicinity. 350 houses with infrastructure and a solar farm had already been agreed in Brixington and was felt that saturation point had been met and indeed that there was not a need for further development. The site is not sustainable as set out in the NPPF paragraph 7 on all three counts of economic, social & environmental development.</p>		
LIMIT	09.02.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/2790/FUL	Land Surrounding Bystock Hayes Old Bystock Drive Mrs Lizzie Britnell Construction of ménage	Highway- did not wish to comment. Environmental Health Code of Practice for the Control of Construction Site Nuisance was to be complied with. The code detailed the measures on construction sites to be complied with to avoid excessive nuisance to residents. Failure to comply may have lead to action under the environmental protection act.	None	No Objection
LIMIT	20.02.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Halsdon				
PLAN No:	14/2912/FUL	2 Gipsy Lane Mr Nigel Hayman Construction of attached two storey dwelling	Cllr. J Elson objected as the site was very small. Highways gave Standing Advice	3 x Rep – Objected on the grounds that the reasons for refusal of the previous two applications still stood. The design continued to “fill a space” creating a cramped appearance. Inadequate provision of internal and outdoor space. The position of the rear first floor windows remained unchanged which would be overlooking & compromise the amenity of neighbours. The loss of light to a neighbouring garden. Increased noise & light pollution. There was reference made to the “tree and shrub screen” which we were told did not exist. Concerned about the close proximity of dwelling to boundary wall. The proposal was described as a “car-free” development, with the loss of off road parking for No 2. Two properties would potentially have had to find road parking in an already busy area close to the Community College.	Objection on the grounds of : • the site was too small for development • Loss of two parking spaces and no parking provision for the two dwellings.
LIMIT	11.02.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	15/0152/FUL	25 Hill Drive Mr & Mrs Paul Steiner Construction of side extension and roof extension incorporating enlarged dormer window	Highway- did not wish to comment.	None	No Objection
LIMIT	16.02.15				
PLAN No:	15/0042/FUL	17 Maristow Avenue Mr Mark Abbotts Retention of the existing front facing dormer		None	No Objection
LIMIT	16.02.15				
PLAN No:	15/0259/FUL	<u>ADDENDUM</u> 33 Carter Avenue Mr R Fox Proposed alterations and extensions to facilitate loft conversion	Highway- did not wish to comment.	None	No Objection
LIMIT	23.02.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Littleham				
PLAN No:	15/0156/FUL	Land To The Rear Of Cliff Cottage 14 Foxholes Hill A Nightingale Construction of detached dwelling and car port	Cllr T Wood – Previous reasons for refusal seemed to have been addressed so was generally supportive. Access from the Southern lower end had overcome objections to back land development & the visual impact had been minimised.	2 x Rep – Objected to building density and to the shoe-horning of a house into a garden space. A nearby resident objected to any further building in the area. Civic Society – considered the proposal to be “back land development” utilizing a site that was not compatible with the density of development within the area.	No Objection
LIMIT	11.02.15				
PLAN No:	15/0167/LBC	Land To The Rear Of Cliff Cottage 14 Foxholes Hill A Nightingale Creation of access through boundary wall to facilitate construction of detached dwelling and car port	Highway- did not wish to comment.		No Objection
LIMIT	12.02.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	14/2965/LBC	12 Bicton Street Mrs Williams Installation of two replacement windows to kitchen extension at rear of property	Note: Cllrs E Wragg & S Gazzard had previously declared an interest. Highway- did not wish to comment.	None	No Objection subject to the Conservation Officer's report.
LIMIT	19.02.15				
PLAN No:	15/0223/FUL	1 Dagmar Road Mr & Mrs Wood Change of use from hotel to 2 no town houses including external alterations and widening of existing vehicular access Note: Simon Wood spoke during the Public Speaking time in support of his application	Note: Cllr A Greenhalgh had previously declared an interest. Highway- Standing Advice given	None	No Objection
LIMIT	19.02.15				
PLAN No:	15/0205/FUL	<u>ADDENDUM</u> Spindrift Maer Road Mr A Fudge (ATA Estates LLP) Demolition of existing buildings, currently arranged as 4no dwellings and a garage, and construction of 3no houses and vehicular garages, and associated landscaped works	Highway- Standing Advice given	None	No Objection
LIMIT	23.02.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Town				
PLAN No:	15/0078/LBC	Royal Beacon Hotel The Beacon Mr J Lee Re-plastering of internal walls	Note: Cllr L Elson had previously declared an interest. Highways did not wish to comment.	None	No Objection subject to Conservation Officer's approval of works.
LIMIT	12.02.15				
PLAN No:	15/0175/FUL	Pier Head Mr Chris Fayers 4 No. garages associated with existing approved development		2 x Reps concerned that if the garages are made larger they would be used for boat storage instead of car parking, thus adding undue pressure on the already over-subscribed on-street parking.	No Objection on condition that the garages were used for vehicle storage and not as business units.
LIMIT	19.02.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Withycombe Raleigh				
PLAN No:	14/2982/FUL	54 Colleton Way Mr Neal Stammers Use of property and garden for childcare for up to 16 children; construction of front porch and play cabin in rear garden AMENDED Reduction to 10 children	Cllr. B Taylor supported the application for the reduction to 10 children.	5 x Reps – concerned about extra pressure on drains. Parking of visiting cars has become a problem with private drives being blocked. Increased noise in a residential area.	No Objection on condition that there was adequate screening provided for the amenity of the neighbours & screening the children from onlookers.
LIMIT	11.02.15				
PLAN No:	15/0168/FUL	188 Withycombe Village Road Mr G Steel Construction of detached office/store in rear garden		None	No Objection
LIMIT	12.02.15				

P15/023. . ITEM FOR CONSIDERATION

(i) Licensing Act 2003 – Premises Licence (Ref No 038457)

Wings Bar 33-35 Imperial Road, EX8 1DB

Ward: Town

Name of applicant: J P Pub Solutions Limited

Premises Licence Application to include

Premises Open Hours requested Time From Time To

Monday to Thursday & Sunday 7:00am 11:30pm

Friday & Saturday 7:00am 12:30am

Christmas Eve 7:00am 2:30am

New Year's Eve 7:00am 2:30am

Activities - Times requested Time From Time To

E. Performance of live music (Indoors)

Monday to Thursday 6:00pm 11:00pm

Friday & Saturday 7:00pm 11:30pm

Sunday Noon 10:30pm

Christmas Eve 7:00pm 2:00am

New Year's Eve 7:00pm 2:00am

F. Playing of recorded music (Indoors)

Monday to Thursday 10:00am 11:00pm

Friday & Saturday 10:00am Midnight

Sunday 10:00am 11:00pm

Christmas Eve 10:00am 2:00am

New Year's Eve 10:00am 2:00am

I. Late night refreshment (Indoors)

Friday & Saturday 11:00pm Midnight

Christmas Eve 11:00pm 2:00am

New Year's Eve 11:00pm 2:00am

J. Supply of alcohol for consumption ON and OFF the premises

Monday to Thursday & Sunday 10:00am 11:00pm

Friday & Saturday 10:00am Midnight

Christmas Eve 10:00am 2:30am

New Year's Eve 10:00am 2:30am

CONDITIONS OFFERED BY APPLICANT

The steps we will or have already taken are to keep the premises as a private members club to which any one can join but there must be 48 hours between the application and being allowed to use the club. We will also be using a members swipe card system CCTV will be installed and maintained by a professional company, signs of its presence will be displayed in public areas. A members electronic swipe card system is fitted to the main door of the club. All guests must be sponsored by a member. All staff will receive training on emergency and general safety procedures and precautions. The challenge 25 system will be implemented and all members of staff will be required to use it. Prominent notices will be displayed requesting members and their guests to leave the club quietly. This will also be within the club rules. Staff will be required to check all areas on a regular basis. Children will not be permitted in the club after 2100 hrs. Signs will be displayed showing areas where children are not permitted.

Last Date for receipt of representations by the Licensing Authority

24 February 2015

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.

P15/024. ITEMS FOR INFORMATION

(i) EDDC Planning Enforcement

Copy letters sent by the EDDC Enforcement officer had previously been circulated for information.

**(ii) Notification of tree works considered an exception to TPO 97/0021
Land to the west of St Johns Road**

Copy letter from the Arboricultural team was attached for your information.

(iii) Tree Preservation Orders

a. Brixington Ward

Land at Higher Marley Road and south of Marley Drive 15/0004/TPO

b. Littleham Ward

Land at 14 Gussiford Lane 15/0005/TPO

The above Tree Preservation orders had been confirmed by EDDC Arboricultural Team.

P15/025. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS

APPLICATION	EXMOUTH TOWN COUNCIL VIEW	EDDC DECISION
14/2500/FUL 1 Church Mews Little Bicton Place	No Objection	Refusal
14/2592/FUL 143 Exeter Road	No Objection	Approval
14/2930/FUL 81 Foxholes Hill	Objection	Withdrawn

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 19.17

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

14/3022/MOUT – Land at Higher Marley Road

PRECIS OF REPRESENTATIONS:-

OBJECTIONS:-

LETTERS RECEIVED	15
COMMENTS ON LINE AS AT 5PM 9TH FEB	104

- **POOR VISIBILITY TO ACCESS AND EXIT SITE AND NEAR A BLIND BEND**
- **APPROACH ROAD TOO NARROW AND IS A BUSY RAT RUN – NO PAVEMENTS AND NOT SAFE TO CYCLE OR WALK**
- **DEVELOPMENT UNSUSTAINABLE**
- **INADEQUATE DRAINAGE AND SEWERAGE**
- **CREATE MORE SURFACE WATER RUNOFF AND FLOODING TO MARLEY ROAD AND LOWER BROOKS**
- **INADEQUATE ATTENUATION PONDS**
- **LOSS OF TREES AND NATURAL HABITAT – PARTICULARLY PROTECTED TREES**
- **LACK OF INFRASTRUCTURE – SHOPS, SCHOOLS AND HEALTH SERVICES**
- **CONTRARY TO THE DRAFT EDDC LOCAL PLAN AND CONTRAVENES THE LOCAL STRUCTURE PLAN**
- **NOISE FROM INCREASED VOLUME OF TRAFFIC**
- **OVERLOOKING OF NEARBY BUNGALOW**
- **THE SITE IS NOT WELL DRAINED AND HAS UNDERGROUND SPRING MAPPING**
- **RARE BATS LIVE WITHIN THIS GREEN WEDGE BUFFER ZONE WHICH IS DEEMED AN AREA OF GREAT LANDSCAPE VALUE**
- **PUBLIC TRANSPORT ROUTES WOULD NEED TO BE EXTENDED AND THERE IS NO PEDESTRIAN ACCESS**

NO LETTERS OF SUPPORT