

## EXMOUTH TOWN COUNCIL

### MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON MONDAY 23<sup>rd</sup> FEBRUARY 2015 AT 6.00 P.M.

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

M Chapman	T Dumper
L Elson	S Gazzard
A Greenhalgh	M Mitchell (Reserve for Withycombe Raleigh)
C Nicholas	B Taylor
R Turner	E Wragg

**APOLOGIES:** Councillor B Toye

#### **P15/026. MINUTES**

The Minutes of the meeting held on 23<sup>rd</sup> February 2015 were approved.

#### **P15/027. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS**

Councillors M Chapman and S Gazzard declared a personal interest in respect of Item 2 for Consideration, three day event license application from Scrupstock Ltd, as they sat on the Licensing Sub-Committee at EDDC who would decide on the application.

Councillor S MacQueen and A Greenhalgh declared a personal interest in respect of planning application 14/2999/OUT, 39 Cranford Avenue, as they knew the applicant.

Councillor L Elson declared a personal interest in respect of planning application 14/2803/MFUL, Land Between Exeter Road and Exe Estuary Trail she knew the tenants of Lower Halsdon farm. Councillor M Mitchell declared a personal interest as he had been a member and volunteer for the National Trust who had submitted the planning application. Councillor B Taylor also declared a personal interest as she had been a member of the National Trust.

Councillor S Gazzard declared a personal interest in respect of planning application 15/0281/FUL, 8 Marpool Crescent as the applicant was a neighbour.

#### **P15/028. URGENT BUSINESS**

None

**P15/029. 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>	15/0017/TRE	43 Sherwood Drive <b>Mr Simon Griffiths</b> T1 Oak: Fell tree. Retaining main stem as standing deadwood (Approximately 5metres in height)		<b>Tree Officer's Report</b> – this Oak tree was an over mature and nearly dead and had a thin weak crown. The cause was possibly down to root stress as the base of the tree had been buried to a depth of 60cm, possibly during site development. Although the tree contributed to the amenity of the area, given its poor condition, recommendation was for approval. <b>Recommendation for Approval</b> subject to a replacement tree, either a Common Oak or a Cork Oak for continuity of tree cover being planted within 5 metres of the same location following the reduction of the tree to standing trunk of approximately 5 metres.	<b>Approval in accordance with the Tree Officer's report.</b>
<b>LIMIT</b>	03.03.15				

P15/030. 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>	15/0242/FUL	3 The Maldens Marley Road <b>Mr J Chilcott</b> Construction of first floor extension over existing garage	<b>Councillor J Elson</b> had concerns that the additional bathroom would add to the sewerage problems already experienced by properties below this dwelling where raw sewerage had been present in one garden. The Juliette balcony may be overlooking the gardens of neighbouring properties.  <b>Councillor P Stott</b> had no problem with the application.	<b>1 x Rep</b> – objected on the grounds of overlooking from the Juliette balcony and the added sewerage problems associated with an additional bathroom.	<b>Objection on the grounds of :</b> <ul style="list-style-type: none"> <li>• the Juliette balcony overlooking neighbours gardens.</li> <li>• There was an existing problem of flooding and sewage in the area and an additional bathroom would further exacerbate the problem.</li> </ul> <b>Note: This site was to be discussed and put on the agenda for the next Flooding &amp; Working Party meeting that was being held on Monday 2<sup>nd</sup> March.</b>
<b>LIMIT</b>	24.02.15				

		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>PLAN No:</b>	14/2803/MFUL	Land Between Exeter Road And Exe Estuary Trail Exmouth <b>Mr Peter Blyth - National Trust</b> Construction of multi-use path between No 321 and 347 Exeter Road (A376) to Exe Estuary trail	<b>Lympstone Parish Council</b> – objected that the extension would bring extra cycling traffic to the village causing more congestion and noise. <b>SWWA</b> – gave guidelines on surface water and soakaways plus a map of where public sewers were located for construction purposes. <b>Environmental Health</b> – gave guidelines on Construction code of Practice. <b>Environmental Agency</b> – objected in the absence of a flood risk assessment as the area was a flood risk 3 zone.	<b>4 x objections – 2 received by EDDC and not scanned in at the time of the meeting-</b> objected on the grounds of environmental impacts on disturbance or damage to Exe Estuary’s protected wildlife. Concerned about people and dogs straying off the path into sensitive wildlife habitats. There was no screening on the south side of the path. There was a safety issue of joining the cycle path to the main Exeter Rd where the pavement is not wide enough to accommodate cycle and pedestrian traffic. The disposal of litter and dog excrement along the trail was inadequate. The proposed path would have a significant impact on Southlodge and a further neighbouring property and affect the amenities and privacy of the occupants.  <b>25 letters of support</b>	<b><u>Application temporarily withdrawn</u></b>
<b>LIMIT</b>	24.02.15				

		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>PLAN No:</b>	15/0200/FUL	4 Swiss Close <b>Mrs L Turner</b> Construction of single storey extension to side; construction of porch; construction of dormer windows to facilitate loft conversion	<b>Highways</b> did not wish to comment.	<b>1 x Rep</b> – who was concerned that the side of the building would become the boundary wall which would form part of the side of a public access road and may become hazardous to larger delivery vehicles.	<b>No Objection subject to the fence being retained and not replaced with a brick wall as there was a concern for access of large vehicles along the public road.</b>  <b>Members noted that the location plans provided were not accurate and out of date as they did not show No.11 Swiss close.</b>
<b>LIMIT</b>	24.02.15				

		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>PLAN No:</b>	14/2947/LBC	Courtlands House Courtlands Lane <b>Mr Michael Caines</b> Renovation, restoration and extension of Courtlands House estate from a wedding venue into a 21 bedroom luxury country house hotel and fine dining restaurant.	<b>Councillor J Elson</b> – agreed in principle to a hotel but had concerns over the use of metal roller doors because of noise and impact on the building in the courtyard and opposite cottages plus the route of fumes dispersed from the chimneys etc. <b>Lympstone Town Council</b> supported the application subject to protection of the holding tanks in the garden. <b>Highways</b> did not wish to comment.	<b>2 x Reps</b> – the location of the plant room and the proposed extension would be sited only metres from The cottage which would generate noise towards a single glazed property. The large metal flumes at 5-6mtrs high within the historic courtyard would be a noisy addition plus the metal louvered doors would not preserve the character and history. There would be noise and privacy issues from deliveries, waste disposal at the new proposed working end of the hotel which was sited near residential properties.	<b>Deferred until the Conservation Officer's report became available.</b>
<b>LIMIT</b>	25.02.15				
<b>PLAN No:</b>	15/0252/FUL	34 Ashleigh Road <b>Mrs M Jago</b> Construction of juliette balcony to front of property	<b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	26.02.15				

		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>PLAN No:</b>	15/0325/FUL	Olive Tree Barn Courtlands Lane <b>Mr &amp; Mrs Paul Brown</b> Proposed structural buttress repairs to stone retaining wall, including new access stairs and boundary wall	<b>Highways</b> did not wish to comment.	None	<b>No Objection</b> subject the <b>Conservation Officer's</b> report.
<b>LIMIT</b>	02.03.15				
<b>PLAN No:</b>	15/0356/LBC	Olive Tree Barn Courtlands Lane <b>Mr And Mrs Brown</b> Proposed structural buttress repairs to stone retaining wall, including new access stair and boundary wall		None	<b>No Objection</b> subject the <b>Conservation Officer's</b> report.
<b>LIMIT</b>	04.03.15				
<b>PLAN No:</b>	15/0307/FUL	11 Lyndhurst Road <b>Mr Mike Harrison</b> Construction of single storey rear extension	<b>Environmental Agency</b> gave standing Advice as this property was in a flood risk area.  <b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	04.03.15				
<b>PLAN No:</b>	15/0378/FUL	1 Grange Avenue <b>Mr R Paver</b> Construction of single storey rear extension.	<b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	13.03.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
<b>WARD</b>	<b>Littleham</b>				
<b>PLAN No:</b>	14/2960/OUT	Eastbrook Maer Road <b>Mr &amp; Mrs S Wright</b> Construction of detached dwelling and garage (outline application with all matters reserved)	<b>Highways</b> gave Standing Advice <b>Environmental Health</b> refer to their code of Practice for construction site nuisance.	None	<b>No Objection to the outline application as stated.</b>
<b>LIMIT</b>	27.02.15				
<b>PLAN No:</b>	14/2999/OUT	39 Cranford Avenue <b>Mr Mark Izzett</b> Erection of detached two storey dwelling and garage (outline application with all matters reserved)	<b>Note:</b> Cllrs M MacQueen and A Greenhalgh had previously declared a personal interest.  <b>Highways</b> gave Standing Advice	None	<b>No Objection</b>
<b>LIMIT</b>	04.03.15				
<b>WARD</b>	<b>Town</b>				
<b>PLAN No:</b>	15/0335/FUL	The Cottage 6 Rolle Road <b>Miss G Compton</b> Construction of two storey side extension		None	<b>No Objection</b>
<b>LIMIT</b>	03.03.15				



		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>PLAN No:</b>	14/1490/LBC	36 - 37 The Strand <b>Mr N Dew</b> Internal and external alterations to enable change of use to a restaurant  <b><u>Amended plans for consultation.</u></b> Amendments relate to changes to chimney.	<b>Highways</b> did not wish to comment.  <b>Conservation Officer</b> supported the reconstruction of the chimney.	None	<b>No Objection in line with the Conservation Officer' report</b>
<b>LIMIT</b>	24.02.15				
<b>PLAN No:</b>	14/1492/FUL	36 - 37 The Strand <b>Mr N Dew</b> Change of use and internal alterations to form restaurant  <b><u>Amended plans for consultation.</u></b> Amendments relate changes to chimney		None	<b>No Objection in line with the Conservation Officer' report</b>
<b>LIMIT</b>	24.02.15				
<b>PLAN No:</b>	15/0351/FUL	18A Windsor Square <b>Dr John Harris</b> Raising of roof to facilitate loft conversion, including construction of dormer windows to front and rear elevations.	<b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	06.03.15				

		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>PLAN No:</b>	15/0398/FUL	15 High Street <b>Mr David Cockman</b> Construction of new window to first floor flat.	<b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	16.03.15				
<b>WARD</b>	<b>Withycombe Raleigh</b>				
<b>PLAN No:</b>	15/0281/FUL	8 Marpool Crescent <b>Mrs J Habermehi</b> Demolition of existing single storey side extension and construction of two storey side extension to form annexe.	<b>Note:</b> Cllr S Gazzard had previously declared a personal interest.  <b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	25.02.15				
<b>PLAN No:</b>	15/0363/FUL	95 Green Close <b>Mr M Shute</b> Construction of single storey side and rear extension.	<b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	06.03.15				

## P15/031. ITEMS FOR CONSIDERATION

### (i) Deferred Item from Previous Planning Meeting

#### **EDDC Development Management Committee Procedure**

Information regarding the criteria for the different types of planning applications when EDDC is considering a planning application was attached.

There was a concern amongst members that the procedures outlined in the flow Charts were not adhered with all planning applications. Also the criteria for deciding a major application did not appear to take into account Town or Parish comments.

**RESOLVED: To monitor future applications that the Town Council may have concerns about for a period of time to ensure that the criteria stipulated by EDDC was being adhered to. Also write to EDDC about how the Town Councils comments are taken into account on major applications.**

The chairman proposed after the elections in May a Planning Officer was invited to attend a planning meeting to speak the new committee to give an overview on the planning procedure.

### (ii) PREMISES AND CLUB PREMISES LICENCE APPLICATIONS

#### **VARIATIONS AND MINOR VARIATIONS RECEIVED UNDER THE LICENSING ACT 2003**

The Training Field, Exmouth Rugby Football Club, Imperial Road, EX8 1DG

Ward: Town

Name of applicant: SCRUMPSTOCK LTD

**THIS WAS AN ANNUAL LICENCE FOR A THREE DAY EVENT TO BE HELD EACH YEAR**

**THIS YEAR THE EVENT WAS TO BE HELD ON THE 15-17 MAY 2015**

#### **Premises Licence Application to include**

##### **Premises Open Hours requested**

	<b>Time From</b>	<b>Time To</b>
Friday	5:00pm	11:30pm
Saturday	11:00am	11:30pm
Sunday	11:00am	6:30pm

Seasonal Variations:

For use on an additional Friday, Saturday & Sunday every subsequent year with 3 months written consent to the licensing team and to the responsible authorities.

##### **Activities - Times requested**

**B. Exhibition of films (Outdoors) E. Performance of live music (Outdoors) F. Playing of recorded music (Outdoors) G. Performance of dance (Outdoors)**

	<b>Time From</b>	<b>Time To</b>
Friday	5:00pm	11:00pm
Saturday	11:00am	11:00pm
Sunday	11:00am	6:00pm

Seasonal Variations:

For use on an additional Friday, Saturday & Sunday every subsequent year with 3 months written consent to the licensing team and to the responsible authorities.

**J. Supply of alcohol for consumption ON the premises only**

Friday	5:00pm	11:00pm
Saturday	11:00am	11:00pm
Sunday	11:00am	6:00pm

**Seasonal Variations:**

For use on an additional Friday, Saturday & Sunday every subsequent year with 3 months written consent to the licensing team and to the responsible authorities.

**CONDITIONS OFFERED BY APPLICANT**

a) General

This was a live music festival to be run by the Scrumpfest.

In addition to this application a full operating plan, including general risk assessment, fire risk assessments, crowd management plan, noise management plan and a travel management plan would be submitted to East Devon District Council Safety Advisory Group for approval prior to the licence taking effect.

b) The prevention of crime and disorder

The premises shall employ specialised event security; number shall be specified in a separately produced crowd management plan. This plan shall be submitted to East Devon District Council Safety Advisory Group for approval prior to event.

The premises licence holder shall consult with the East Devon Police prior to the event and should the Police have any concerns in relations to any acts booked to play, they will not be permitted to play at these premises.

The applicant shall work closely with the East Devon Police to ensure the safe running of the event.

An incident log shall be kept on the premises and shall be made available on request to an authorised officer.

No alcohol will be permitted off the premises.

Challenge 25 shall be operated at the licensed bars.

c) Public safety

A detail event operating plan shall be produced which outlines all the safety and emergency procedures for the festival.

The licence holder shall produce a risk assessment in line with the requirements of HSE event safety guide (Green guide), this risk assessment including a final site plan submitted to appropriate scale, shall be submitted to the responsible authorities for Health and Safety and the Fire Brigade for approval prior to the premises being used under this licence.

Prior approval will be obtained for the use of any pyrotechnics or special effects at the festival.

All drinks shall be served in plastic containers.

The premises shall fully comply with the requirements of the Fire Regulatory reform order. In addition to this application a full operating plan, including general risk assessment, fire risk assessments, crowd management plan, noise management plan and a travel management plan shall be submitted to East Devon District Council Safety Advisory Group for approval prior to the licence taking effect.

d) The prevention of public nuisance

Scrupstock is very aware of the importance to minimise disruption to the lives of the local residents.

Scrupstock will liaise with East Devon District Council Environmental Health team to minimise disturbance to residents prior to the event.

Scrupstock shall also take the following steps to monitor noise levels during the event. One music stage, the stage shall be sited so that its music noise is directed away from noise sensitive properties.

Maximum noise levels and monitoring points shall be put in place by the PA Company prior to the event, these measures shall be done with reference to Council guidance on outdoor events and festivals.

Nearby residents shall be notified prior to the event and shall be given a dedicated telephone number to call on the days the licence is in use, which shall be staffed by appropriately trained members of the PA team for the duration of the event.

Scrupstock shall also supply a full record of all complaints and record of all noise monitoring to Councils Environmental Health Department after the event.

e) The protection of children from harm

A challenge 25 policy shall be in operation at all times. A refusal log shall be maintained at the premises and shall be made available to an authorised officer on request.

A personal licence holder shall be on the premises at all times.

A lost children policy shall be in place, this plan shall be incorporated into the festival operating plan produced for approval at the East Devon District Council Safety Advisory Group.

Last Date for receipt of representations by the Licensing Authority 16 March 2015

**RESOLVED: No Objection subject to the 11pm performance of live music deadline was complied with and Environmental Health being satisfied with noise levels so as to protect the amenity of the residents nearby.**

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

**P15/032. ITEMS FOR INFORMATION**

**(i) EDDC Planning Enforcement**

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

**(ii) Planning Appeal - Ref APP/TPO/U1105/4374**

**Ward: Littleham**

**Application 14/2131/TRE**

**Land at Villa Maison, 4 Cyprus Road, EX8 2DZ**

**Mrs Pat Bunton**

**Fell One Blue Cedar Tree**

EDDC had written to advise that an appeal had been made against the decision to refuse to grant consent for the proposed works.

**P15/033. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS**

<b>APPLICATION</b>	<b>EXMOUTH TOWN COUNCIL VIEW</b>	<b>EDDC DECISION</b>
14/2887/FUL Flat 5 St Cyr 26 Douglas Avenue	No Objection	Conditional Approval
15/0126/FUL 34 Cranford Avenue	Objection	Withdrawn
<b>14/2791/FUL</b> <b>9 Burnside</b>	<b>No Objection</b>	<b>Refusal</b>
14/2920/FUL 22 St Johns Road	No Objection	Approval
14/3007/FUL 7 Seafield Avenue	No Objection	Approval
15/0027/FUL 14 Elizabeth Road	No Objection	Approval
15/0028/FUL 1 Springfield Road	No Objection	Approval
14/2855/FUL 18 Bradham Lane	No Objection	Conditional 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 19.00**

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