

EXMOUTH TOWN COUNCIL

MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON MONDAY 13th JULY 2015 AT 6.00 P.M.

PRESENT: Councillors: L Elson (Chairman)
B Bailey F Caygill
M Chapman (Ex Officio)
B Cole (Ex Officio)
T Dumper A Greenhalgh (representing Littleham Ward)
T Hill C Nicholas
B Toye J Trail

APOLOGIES: Councillors P Dean & B Nash

PUBLIC SPEAKING TIME

The meeting was adjourned for:-

Ian Cann, Exmouth Civic Society and Ian McNeil, Marley Planning Group spoke against 14/3022/MOUT Land at Higher Marley Rd - amendment from 150 dwellings to 98 dwellings.

Norma Southwood spoke against planning application, 15/1161/FUL, Mereworth, Gorse Lane, detached dwelling.

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

P15/100. MINUTES

The Minutes of the meeting held on 29th June 2015 were approved.

P15/101. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS

Councillor B Bailey declared a personal interest in respect of planning application 15/0921/COU, Unit 1, Pound Lane as the owner was a personal friend. Councillor L Elson also declared a personal interest as she knew the applicant.

Councillor M Chapman, B Bailey, A Greenhalgh and Cherry Nicholas declared a personal interest in respect of item for consideration, premises licence application for Oddfellows, as they sat on the licensing sub-committee at EDDC who would decide the application.

P15/102. URGENT BUSINESS

None

P15/103. To consider the Planning Applications for consultation set out below

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Brixington				
PLAN No:	15/1161/FUL	Mereworth Gorse Lane Mr S Steele Construction of detached dwelling	Norma Southwood spoke against this application during the Public Forum. Highways gave Standing Advice.	2 x Reps - who objected as the new building together with an extension on the original house would constitute over development and would be out of keeping with the lower density residential area in a rural aspect. The property would overlook 14 & 15 Durham Close and create loss of light. Access was dangerous. Many trees and scrubs had been cleared from the garden site which was waterlogged 6 months of the year.	Objection on the grounds of overdevelopment of a small triangular plot and out of keeping in a lower density residential area.
LIMIT	14.07.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
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><u>These amendments relate to:</u> Revised scheme reducing the numbers of dwellings from 150 to 98 and reduction in site area from 8.9ha to 6.4 ha</p>	<p>Ian Cann and Ian McNeil spoke against this application during the Public Forum.</p> <p>English Heritage & Contaminated Land Officer had no concerns.</p>	<p>12 x Reps – the reduction in dwellings did not alter original objections to development on the site. The unsuitable access to the site had only moved 20 metres down the road and did not alter the fact that traffic was discharging into a narrow dangerous country lane which was unsuitable to accommodate the development even in its reduced size. Information received since the original application had confirmed that substantial water springs were present in the area. Would have an impact on rare fauna and flora as well as schools and doctors capacity. Site not identified on the EDDC Local Plan and was an erosion of the green wedge and wildlife corridor and particularly endanger the rare bat population. Concern for the protection of historic trees on the site.</p>	<p>Objection to amended plans on the same grounds as the original application. Object in the strongest terms to any development of the site. Concerned at the lack of infrastructure and healthcare provision.</p>
LIMIT	23.07.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Halsdon				
PLAN No:	15/1501/FUL	20 Bapton Close Mr C. Jones Construction of an entrance porch		None	No Objection
LIMIT	22.07.15				
PLAN No:	15/1065/FUL	47 Wordsworth Close Mrs Caroline Stroud Construction of attached dwelling	Highways gave Standing Advice.	1 rep – a neighbour was concerned at possible usage of his parking spaces by the occupants of the new property and whether new parking provision would affect the area used as a turning circle.	Objection on the grounds of overdevelopment of the site and the lack of parking provision.
LIMIT	14.07.15				
PLAN No:	15/1222/MFUL	Land Between Exeter Road And Exe Estuary Trail Mr Peter Blyth (National Trust) Construction of a multiuser path between 321 & 347 Exeter Road (A376) to Exe Estuary Trail <u>Amended plans for consultation.</u> Clarification of position of works compound	Exmouth Town Council had no objection to the original application subject to Environment Agency's approval and possible provision of a bus layby to alleviate traffic backing up and any possible improvement to ensure cyclists safety exiting and crossing the A376.	Environment Agency following negotiation now had no objection nor does Highways Agency . Conservation Officer supports the application with a request for low level lighting to be installed should lighting be required.	No Objection to amended plans
LIMIT	15.07.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	15/1438/FUL	Flat 3 247 Exeter Road Mr Alan Woodward Erection of balcony to rear elevation		None	No Objection
LIMIT	23.07.15				
WARD	Littleham				
PLAN No:	15/1416/FUL	24 The Crescent Mr & Mrs A Brunt Construction of single storey extension to rear.	Highways do not wish to comment.	None	No Objection
LIMIT	14.07.15				
PLAN No:	15/1123/FUL	12 Dunsford Close Mr Robert Nield Alterations and extensions to roof including raising of the height and installation of rear dormer and window in north east and south west gables <u>Amended plans for consultation</u> Revised dormers front and back	Town Council objected on the grounds of the height of the roof which would result in overlooking and loss of amenity to properties on Douglas Avenue.	5 x Reps who still had concerns that the roof height was still higher than roofs on surrounding bungalows who have accommodated alterations within the original roofline. Although the design of the rear dormers was more pleasing the windows would overlook the garden and house at No 51. Douglas Ave. The window on the north east appeared bigger and the window-sill should be in line with the window in the south west gable.	No Objection to the amended plans.
LIMIT	14.07.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Town				
PLAN No:	15/1516/FUL	Premier Inn Esplanade Whitbread PLC Extension to rear to be used as a storage unit		1 x Rep – objected to any expansion of the building.	No Objection
LIMIT	23.07.15				
PLAN No:	15/1498/FUL	Strand Court Chambers 1 Victoria Road Strand Court Management (Mr Richard Gray) Construction of infill roof extension		None	No Objection
LIMIT	24.07.15				
PLAN No:	15/1539/FUL	Capels 11 Imperial Road Mr Les Oldman Change of use of first floor from residential accommodation into seating/restaurant area in conjunction with existing takeaway		None	No Objection
LIMIT	24.07.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Withycombe Raleigh				
PLAN No:	15/1415/VAR	Unit 1 Liverton Business Park Clinton Devon Estates Variation of condition 1 of planning permission 03/P2254 to allow the sale of non-food goods and for the ancillary sale of food and drink from an area of no more than 645 square metres	Highways did not wish to comment.	None	No Objection
LIMIT	15.07.15				
PLAN No:	15/1509/FUL	8 Marpool Crescent Mrs Jane Habermehl Demolition of single storey side extension and construction of single storey annex extension.		None	No Objection subject to the annexe not being used as a separate unit
LIMIT	21.07.15				
PLAN No:	15/0763/FUL	187 Withycombe Village Road Mr & Mrs J & E Rogers Construction of first floor extension to rear elevation <u>Amended plans for consultation.</u> Showing a reduction in width of 1st floor extension.	Town Council had no objection to the original application.	1 x Rep – residents of the neighbouring property felt that the proposed extension would be overpowering and would block out natural light from their kitchen and overshadow the garden. It was also not in keeping with the surrounding properties.	No Objection
LIMIT	16.07.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	15/0921/COU	Unit 1 Pound Lane Staddons Change of use from MOT station, garage and tyre fitting centre to car sales, vehicle rentals and valeting	Note: Cllrs L Elson and B Bailey had previously declared an interest.	2 x reps – parking on Pound Lane of up to 18 hire and employees vehicles, including trucks, it was excessive and dangerously narrows the road particularly at the road junction. Residents were unable to park anywhere near their properties	No Objection in principle but had reservations regarding the size of the site for the number of vehicles it hires and sells. Would like Highways to comment on the application in respect of the road width restrictions created by vehicles from the businesses parking on Pound Lane. A condition to be applied stating that all vehicles for sale or hire were kept on the site boundary.
LIMIT	23.07.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	15/1521/FUL	112 Pound Lane Mr & Mrs B Endacott Demolition of existing garage and construction of single storey side and rear extension		None	No Objection
LIMIT	23.07.15				
PLAN No:	15/1227/MRES	Land North Of Liverton Business Park Clinton Devon Estates Construction of 8 no. industrial units (B1, B2 & B8 use) comprising open yard and parking area and new concrete access road (approval of details and layout, appearance, access and landscaping pursuant to outline planning permission 09/2533/MOUT) <u>Amended plans for consultation.</u> Building moved to north to accommodate landscaping. Cladding colours amended from Goosewing Grey to Merlin Grey and bargeboards, gutters, rwp's, doors and windows amended from Merlin Grey to Anthracite Grey and removal of 2 no. electric doors and 2 no. Pedestrian doors in north elevation.	Town Council had no objection to the original application.	None	No Objection
LIMIT	16.07.15				

P15/104. ITEM FOR CONSIDERATION

(i) PREMISES AND CLUB PREMISES LICENCE APPLICATIONS, VARIATIONS AND MINOR VARIATIONS RECEIVED UNDER THE LICENSING ACT 2003

Ref No: 039538

Premises: Oddfellows (The) High Street, EX8 1NP

Ward: Town

Name of applicant: HEAVITREE BREWERY PLC

Premises Licence Application to include

Premises Open Hours requested	Time From	Time To
Sunday to Tuesday	10:00am	12:30am
Wednesday & Thursday	10:00am	1:30am
Friday & Saturday	10:00am	2:30am
Bank Holiday Mondays	10:00am	2:30am
New Year's Eve	10:00am	Midnight
and from the end of opening hours on New Year's Eve to the start of opening hours on New Year's Day		

Activities - Times requested	Time From	Time To
B. Exhibition of films (Indoors & Outdoors)		
Sunday to Thursday	10:00am	Midnight
Friday & Saturday	10:00am	1:00 am
Bank Holiday Mondays	10:00am	1:00am
New Year's Eve	10:00am	Midnight
and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		

E. Performance of live music (Indoors & Outdoors)		
Monday & Tuesday	10:00am	11:00pm
Wednesday & Thursday	10:00am	12:30am
Friday & Saturday	10:00am	1:00am
Sunday	10:00am	10:00pm
Bank Holiday Mondays	10:00am	1:00am
New Year's Eve	10:00am	10:00pm
and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		

F. Playing of recorded music (Indoors & Outdoors)

G. Performance of dance (Indoors & Outdoors)

H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors)

Sunday to Tuesday	10:00am	Midnight
Wednesday & Thursday	10:00am	1:00am
Friday & Saturday	10:00am	2:00am
Bank Holiday Mondays	10:00am	2:00am
New Year's Eve	10:00am	Midnight
and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		

I. Late night refreshment (Indoors)

Sunday to Tuesday	11:00pm	Midnight
Wednesday & Thursday	11:00pm	1:00am
Friday & Saturday	11:00pm	2:00am
Bank Holiday Mondays	11:00pm	2:00am
New Year's Eve	11:00pm	5:00am

and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

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

Sunday to Tuesday	10:00am	Midnight
Wednesday & Thursday	10:00am	1:00am
Friday & Saturday	10:00am	2:00am
Bank Holiday Mondays	10:00am	2:00am
New Year's Eve	10:00am	Midnight

and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

CONDITIONS OFFERED BY APPLICANT

General

The Local licensing authority Licensing objectives have been considered and implemented on this application with the view to providing a safe and friendly atmosphere for customers.

The prevention of crime and disorder

A minimum of 2 x SIA Registered members of staff must be employed from 21:00 on Friday and Saturday night (and any other night when the premises are open for regulated entertainment past midnight) until the premises are closed and all customers have left.

SIA Registered member of staff must wear clothing that makes them clearly identifiable in that role.

An IP 1080p HD CCTV system will be installed and images retained for a minimum of 28 days, at 6Fps (as a minimum) recording on motion.

The CCTV system must be operational at all times whilst the premises are trading. If the system is faulty or not working then the police must be informed immediately. Details of the malfunction must be recorded in the premises incident book.

Warning notices must be displayed in public areas of the premises and at all entrances advising that CCTV is in operation.

All signs must comply with the requirements of the Data Protection Act 2002.

An incident book must be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises must be recorded. The incident book must be kept on the premises at all times and must be made available for inspection by us and the police.

No one carrying open or sealed bottles or glasses will be admitted to the premises at any time.

Public safety

Persons will not be permitted entry onto the premises after 01:30 hrs this is to make sure that the customers enjoying the premises into the earlier hours have been monitored and will prevent customers using the premises as a last stop of their evening.

Irresponsible drinks promotions must not be permitted, and the standards for the management of responsible drinks promotions including happy hours produced by the British Beer and Pub Association will be complied with.

The licence holder or people authorised by them must check the premises before it opens to the public to ensure there are no risks to patrons and that all safety precautions are in place.

The licence holder must ensure that all staff receive appropriate training about emergency and general safety precautions and procedures.

The licence holder must ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.

Free drinking water must be made available at all times the premises is open to the public.

The fire safety measures provided on the premises must be maintained in good working order, and their adequacy will be determined on a regular basis, by the carrying out of a fire risk assessment as required by, and in accordance with the Regulatory Reform (Fire Safety) Order 2005.

An adequate and appropriate supply of first aid equipment and materials must be available on the premises.

The prevention of public nuisance

All forms of regulated entertainment will cease outside by 23:00

Customers will not be permitted onto the balcony beyond the last sale of Alcohol on Sunday to Tuesday evenings.

Customers will not be permitted onto the balcony 1 hour prior to the last sale of Alcohol on Wednesday to Saturday evenings.

Customers will not be permitted into the garden with drinks beyond the last sale of Alcohol on Sunday to Thursday evenings.

Customers will not be permitted into the garden with drinks 30 minutes prior to the last sale of Alcohol on Friday and Saturday evenings.

Customers will be asked and reminded by staff to leave and vacate the premises quietly by staff. Also prominent legible notices requesting people to leave the premises and the area quietly must be displayed at all exits.

No drinks taken off site apart from off-sales in sealed containers.

The licence holder must ensure that staff regularly patrol the premises both indoors and patio garden to supervise the orderly conduct of patrons.

Prominent legible notices requesting people to leave the premises and the area quietly must be displayed at all exits.

Suitable signage must be displayed in the garden areas requesting patrons to respect the amenities of local residents.

The Licence Holder or nominated person will control the sound levels during regulated entertainment. The Licence Holder or nominated person will monitor and assess the impact of any noisy activities on neighbouring premises at the start of the activity/entertainment periodically throughout the night or when complaints are received and take action to reduce noise levels if they are found to be excessive/distinguishable above background levels at the nearest residential property.

The protection of children from harm

No children allowed on the premises after 22:00 hrs An agreed proof of age policy will be enforced.

Last Date for receipt of representations by the Licensing Authority 23 July 2015

The Chairman read out the representation that Cllr B Nash had sent to East Devon District Council regarding his concern for the proposed late closing hours of 2.30am leading to public disorder in the outside areas backing onto the pavement and road.

RESOLVED: Concerned about the playing of music outdoors in a residential area and the safety of the public over spilling onto a public highway. The Committee asked for clarification from EDDC regarding the wording for permitted hours on New Year's Eve and New Year's Day.

Note: Cllrs B Bailey, M Chapman, A Greenhalgh and C Nicholas left the room whilst discussions took place as they had previously declared a personal interest.

P15/105. ITEMS FOR INFORMATION

(i) EDDC Planning Enforcement

A copy letter sent by EDDC Enforcement officer was previously circulated with the agenda.

(ii) Designation of Extensions to Exmouth Conservation Area

The extension was formally adopted on the 27th January and public notices went in the Exmouth Journal and London Gazette. EDDC apologised for not confirming this earlier.

(iii) Tree Preservation Order

Land at 14 Gussiford Lane – TPO No: 15/0005/TPO

The above tree preservation order had been confirmed by EDDC Arboricultural Team.

(iv) Neighbourhood Plan

Tim Spurway, Neighbourhood Planning Officer for EDDC had confirmed that the Exmouth Neighbourhood area had now been designated. Details and a full list of comments from respondents could be found on the website at the following link - <http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/Exmouth/#article-content>

This would now let us proceed with the development of our Neighbourhood Plan and allow us to claim support funding of up to £8,000. EDDC offered an additional £2,000 to groups to support them along the process.

P115/106. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS

APPLICATION	EXMOUTH TOWN COUNCIL VIEW	EDDC DECISION
15/0670/FUL Land Adjacent 12 Newlands Avenue	Objection	Conditional Approval
14/2466/FUL 15 Evergreen Close	No Objection	Approval
14/2790/FUL Land Surrounding Bystock Hayes Old Bystock Drive	No Objection	Conditional Approval
15/0582/FUL The Famous Ship High Street	No Objection	Conditional Approval
15/0804/FUL Owls Cott, St Johns Lodge St Johns Road	Objection	Conditional Approval
15/1225/FUL 12 Anson Road	No Objection	Conditional Approval
15/0267/FUL 26A Exeter Road	No Objection	Conditional Approval
15/1052/FUL 10 Southern Wood	No Objection	Approval
15/1156/FUL 11 Seymour Road	No Objection	Approval
15/1159/FUL 100 Salterton Road	No Objection	Approval
15/1178/FUL 20 Masey Road	No Objection	Approval
15/1201/FUL 195 Pound Lane	No Objection	Approval
15/1265/FUL 6 Withycombe Park Drive	No Objection	Approval

Please note that all Decisions received from East Devon District Council are available on request for inspection in the office.

The meeting closed at 19.30

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