

## EXMOUTH TOWN COUNCIL

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON MONDAY 2<sup>nd</sup> NOVEMBER 2015 AT 6.00 P.M.**

**PRESENT:** Councillors: L Elson (Chairman)  
                  B Bailey        F Caygill  
                  M Chapman P Dean  
                  T Hill         C Nicholas  
                  J Trail         B Toye

**APOLOGIES:** Councillor T Dumper, B Nash and C Gough

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### **PUBLIC SPEAKING TIME**

The meeting was adjourned for:-

Mr Paul Burbery spoke against planning application 15/2347/FUL for 20 Cheriswood Avenue,

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

### **P15/157. MINUTES**

The Minutes of the meeting held on 19<sup>th</sup> October 2015 were approved.

### **P15/158. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS**

Councillor F Caygill declared a personal interest in respect planning application 15/2347/FUL, 20 Cheriswood Avenue as he knew the agency. Councillor L Elson also declared a personal interest as she was a trustee of Abbeyfeilds who used the applicant's services.

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

### **P15/159. URGENT BUSINESS**

None

**P15/160. 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>	15/2240/ADV	12 Brixington Parade Churchill Road <b>Southern Co-operative</b> Installation of 1no internally illuminated projecting sign, 1no. Non-illuminated projecting sign, 2no. Externally illuminated fascia signs, 2no. Non-illuminated vinyl windows and 1no. Menu board.	<b>Highways</b> had no objection.		<b>Approval as they were replacing like for like signs</b>
<b>LIMIT</b>	24.11.15				

		APPLICATIONS FOR DETERMINATION	COMMENTS	STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS	DECISION
<b>WARD</b>	<b>Littleham</b>				
<b>PLAN No:</b>	15/2087/TRE	Villa Maison 4 Cyprus Road <b>Mrs Pat Bunton</b> T1 Blue Atlas Cedar: Reduce lateral branches 1-2m and re-shape. Retaining an average crown spread of 3 metres and a height of 8 metres.		<b>Tree Officer's report</b> – a maturing Blue Atlas Cedar which could be seen in full by residents of Villa Maison and in part by neighbouring properties of nearby roads. As the tree continues to grow the public amenity would increase. The tree was free from significant defects and grew in a spacious grassed area 9.5 metres from the southern elevation of Villa Maison. The tree was 9.6 metres in height with a crown radius of 4.2 to 4.6 metres and a crown clearance of 2 metres. The adjacent balcony was 4 metres away. The design layout and landscaping of the Villa Maison development sort to retain this individual specimen tree as a central focal point in the grounds and there was currently space for further growth which would increase its amenity value. <b>Recommendation for Refusal</b> as there are no apparent reasons for the reduction of the tree at this stage of its life and a reduction would be detrimental to its future growth and that of the amenity and character of the area both now and in the future.	<b>Refusal in accordance with the Tree Officer's report.</b>
<b>LIMIT</b>	18.11.15				

		<b>APPLICATIONS FOR DETERMINATION</b>	<b>COMMENTS</b>	<b>STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS</b>	<b>DECISION</b>
<b>PLAN No:</b>	15/2098/TRE	Heritage Grange 77 Salterton Road <b>Mr Alan Pitman</b> T1 - Copper Beech: Dismantle in sections to just above ground level	<b>Deferred item from 19.10.15.</b>  T2 – Western Red Cedar was not registered under a TPO hence no report at the last meeting.	<b>Tree Officer's Report</b> – The Copper Beech (T1) was visually prominent and made a positive contribution to the amenity and character of the area. The tree had caused the failure of the wall to the south and was likely to cause damage to the remaining section abutting Salterton Road. In addition to this the tree had a thinning upper crown, indicative of physiological stress. Recent consultation with EDDC's Tree Officer had recommended removal of the tree. Rebuilding of the damaged walls retaining the tree would require a complex & expensive engineering solution which couldn't be reasonably justified as the tree had a limited life expectancy due to its physiological condition.  <b>Recommendation for Approval</b> on the condition that a replacement tree was planted as close as practical to the same location in the first planting season and rebuilding of the wall. The species selected may be a Cypress Oak or such other species.	<b>Approval in accordance with the Tree Officer's report.</b>
<b>LIMIT</b>	03.11.15				

		<b>APPLICATIONS FOR DETERMINATION</b>	<b>COMMENTS</b>	<b>STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS</b>	<b>DECISION</b>
<b>PLAN No:</b>	15/2074/TRE	Merrist House 14 Douglas Avenue <b>Mr Crawford</b> T1 - Horse Chestnut - Crown reduction by 2.5m, making cuts <100mm diameter. Retaining tree height of 13m and crown spread of 10m (N/S).	<b>Deferred item from Planning Committee 19.10.15</b>	<b>Tree Officer's report</b> – this mature Horse Chestnut had a high level of public amenity being visible from Douglas Ave and Maer Rd. Historically a number of relatively large low branches had been removed which had resulted in cavity formation at the junctions of the main stem. The crown had also in the past been heavily reduced and now required periodic ongoing management. It is 10 years since consent was given to prune the tree particularly as there were zones of decay on the main stem. <b>Recommendation for Approval.</b>	<b>Approval in accordance with the Tree Officer's report.</b>
<b>LIMIT</b>	02.11.15				

**P15/161. 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>Brixington</b>				
<b>PLAN No:</b>	15/1490/OUT	Land South Of Ashcroft Bassetts Gardens <b>Mrs Jenifer Riach</b> Outline application for the construction of single storey dwelling seeking approval for access only (matters of appearance, landscaping, layout and scale reserved)	<b>Highways</b> gave Standing Advice	<b>2 x Reps</b> – concerned about the extra vehicle movement down a single track private road where the exit feeds out amongst parked cars onto a busy road with school traffic and parents walking with children. Trees had already been removed from the proposed site prior to the submission of the application.	<b>No Objection</b>
<b>LIMIT</b>	06.11.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
<b>PLAN No:</b>	15/2347/FUL	<p>20 Cheriswood Avenue</p> <p><b>Agency Assistance</b></p> <p><b>Ms J Rhodes</b></p> <p>External alterations to detached garage to facilitate ancillary accommodation</p> <p><b>Paul Burbery spoke during the public speaking time against the application</b></p>	<p><b>Note:</b> Cllrs F Caygill and L Elson had previously declared a personal interest.</p> <p><b>Highways</b> did not wish to comment.</p>	<p><b>13 Reprs</b> – the work was almost complete. The garage conversion was over development and had either had a chimney, flue or soil pipe fitted which was not identified on the plans. The double hung casement doors were not in keeping with the existing design aspect of the close. When open they reduced the parking availability on the drive by 150cms. The change of occupiers had attracted large commercial minibuses to a residential estate where parking was insufficient and the movement of these vehicles pose a danger to children living and playing in the cul de sac. Extra pressure on the sewerage system and inadequate rubbish provision.</p>	<p><b>Objection on the grounds of inadequate parking provision in a cul de sac which posed a danger where children play. The proposal was out of keeping with the close and was an inappropriate property for the applicant's clients living amongst a family estate.</b></p> <p><b>Note: Request clarification from EDDC regarding the possible installation of a chimney/flue which was not identified on the plans and request for the application to be determined by DMC.</b></p>
<b>LIMIT</b>	03.11.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
<b>WARD</b>	<b>Halsdon</b>				
<b>PLAN No:</b>	15/2312/FUL	East Lodge Courtlands Lane <b>Mr Joe Oxley</b> Erection of two storey extension and alterations	<b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	06.11.15				
<b>PLAN No:</b>	15/1900/FUL	A La Ronde Summer Lane <b>National Trust (James Wallace)</b> Installation of new gates to access parkland	<b>Historic England</b> had no objection.	None	<b>No Objection</b>
<b>LIMIT</b>	09.11.15				
<b>WARD</b>	<b>Town</b>				
<b>PLAN No:</b>	15/2169/LBC	9 Bicton Street <b>Mr A Berra</b> Re-roof dwelling	<b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	04.11.15				



		<b>PROPOSED DEVELOPMENT</b>	<b>COMMENTS</b>	<b>REPRESENTATIONS</b>	<b>OBJ/NO OBJ</b>
<b>PLAN No:</b>	15/2414/VAR	Mamhead Slipway Mamhead View <b>East Devon District Council (Ms Alison Hayward)</b> Variation of condition 3 (q) of planning permission 14/1768/FUL to allow tidally dependant works below Mean High Water Springs to take place between 06:30am and 10pm and any work which generates noise limited to no earlier than 7am and finish no later than 9pm	<b>Councillor Bill Nash</b> stated that this was essential work for Mamhead Slipway and agreed with the application for revised working times to allow completion of this important project.  <b>Cllrs F Caygill &amp; B Bailey</b> wished it to be noted that they were not in favour of the development and therefore objected to the application.	None	<b>No Objection subject to Environmental Health monitoring the noise levels to ensure there was no noise before or after the times stated.</b>
<b>LIMIT</b>	12.11.15				
<b>PLAN No:</b>	15/2437/FUL	53 Victoria Road <b>Mrs P Yelland</b> Construction of two storey rear extension	<b>Highways</b> did not wish to comment.	None	<b>No Objection</b>
<b>LIMIT</b>	13.11.15				

## **P15/162. ITEMS FOR CONSIDERATION**

### **(i) Devon Minerals Plan Consultation**

Devon County Council was preparing the new Devon Minerals Plan which would cover the period to 2033, and had launched the pre-submission consultation. The Plan would, on its adoption, replace the existing Minerals Local Plan and ensure that there was a sound policy framework for the determination of proposals for mineral development in Devon. Following the end of the consultation period, the County Council intended to submit the Devon Minerals Plan to the Secretary of State for examination. The Pre-submission Consultation Devon Minerals Plan provided the County to maintain the supply of minerals together with new areas for the safeguarding of mineral resources. Representations should be submitted by 5pm on Monday 16th November 2015, late representations w not be accepted. The plan was available to view on line.

Cllr F Caygill was concerned, should the proposed site at Straitgate Farm be accepted, the extracted sand and gravel would be transport to Blackhill Quarry for processing as opposed to Rockbeare. Quarrying at Blackhill no longer took place and was in an Area of Outstanding Natural Beauty. He was concerned about the additional movement of triaxle lorries with 25 tonnes of stone damaging the roads and the danger to road users, particularly work traffic to Honiton and Sidmouth.

**RESOLVED: The Clerk was asked to respond to the consultation in particular the movement of materials between Straigate Farm and Blackhill Quarry and request that a future change in policy be made to request that when quarrying had finished that the quarry be restored to its natural environment particularly when sited within an AONB.**

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

**Ref No. 040240 Premises Merchant (The) 33-34 The Strand, EX8 1AQ**

**Ward: Town**

**Name of applicant STONEGATE PUB COMPANY LIMITED**

**Premises Licence Minor Variation Application to include PROPOSED VARIATION**

To add live music inside the premises Mondays to Sundays - 09:00 to midnight.

To add a condition as to doors being closed when live music takes place, to amend a condition as to glassware and remove conditions from the licence which are obsolete, inappropriate or already covered by existing legislation as detailed below:-

To add the following condition to the premises licence: - 'When live music is taking place on the premises, the front bi-fold shall be kept closed and front entrance doors shall be kept closed except for access and egress.'

To remove all the following conditions under Annex 2 of the premises licence:- To remove condition 12 under annexe 2, under the heading 'conditions consistent with the premises operating schedule' which relates to children under 16 not being permitted to enter into the premises as this is not appropriate and is already covered by existing legislation.

To remove condition 2 under annexe 2, heading 'condition consistent with the premises operating schedule', which relates to text and radio pager being linked to the police, which is obsolete.

To amend and update condition 4 under annexe 2, heading 'condition consistent with the premises operating schedule', in relation to glassware to read: 'Toughened glasses shall be used where available for draft beer or lager at all times the premises - are opened to the public'.

Last Date for receipt of representations by the Licensing Authority 29 October 2015

**RESOLVED: No Objection**

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

**P15/163. ITEMS FOR INFORMATION**

**(i) EDDC Planning Enforcement**

Please find attached copy letter sent by EDDC Enforcement officer for your information.

**P15/164. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS**

<b>APPLICATION</b>	<b>EXMOUTH TOWN COUNCIL VIEW</b>	<b>EDDC DECISION</b>
15/1603/COU 41 Morton Road	No Objection	Approval
15/1665/FUL Pine Ridge Higher Marley Road	No Objection	Conditional Approval
15/2157/FUL 69 Elmfield Crescent	No Objection	Approval
15/2005/VAR Lavis's Boatyard 6A Camperdown Terrace	No Objection	Conditional Approval

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

Cllr M Chapman felt that Committee members would benefit from training from EDDC on advertisements as new members had joined the Committee since training has last been given. The Clerk was requested to arrange with EDDC.

The meeting closed at 18.57

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