

EXMOUTH TOWN COUNCIL

MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON MONDAY 16th NOVEMBER 2015 AT 6.00 P.M.

PRESENT: Councillors: L Elson (Chairman)

B Bailey F Caygill

M Chapman P Dean

T Dumper S Gazzard (Reserve for Withycombe Raleigh Ward)

T Hill C Nicholas

J Trail

APOLOGIES: Councillor B Nash, C Gough and B Toye

PUBLIC SPEAKING TIME

The meeting was adjourned for:-

Mr D James, Mr N Ferreday, Mr R Buckland & Mr T Bouchier spoke against 15/2079/FUL 30 Little Meadow – Erection of attached dwelling and detached garage

Pat Eastwood, Gordon Hodgson and Tim Cope spoke against 15/2487/MRES, Land Off Queens Drive - Approval of access, appearance, landscaping and scale for the highway re-alignment and parking areas, demolition of cafe, selected beach huts and shelter as part of the reserved matters of outline application 13/1819/MOUT.

Morgan Wright and Louise MacAllister spoke against 15/2493/FUL Exmouth Fun Park – infill of 2 ponds with site-won material from adjacent highway works

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

P15/165. MINUTES

The Minutes of the meeting held on 2nd November 2015 were approved.

P15/166. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS

Councillors M Chapman, B Bailey and Cherry Nicholas declared a personal interest in respect of items for consideration, premises licence applications for Spar Convenience Store, Spoken and Southwest Hampers Limited, as they sat on the licensing sub-committee at EDDC who would decide the applications.

P15/167. URGENT BUSINESS

None

P15/168. To Determine Applications under Delegated Powers.

		APPLICATIONS FOR DETERMINATION	COMMENTS	STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS	DECISION
WARD	Littleham				
PLAN No:	15/2320/TRE	Flat 19 (front Of) Aldborough Court 21 Douglas Avenue Mr A Anderson T1 - Deodar Cedar: Crown reduction to retain a tree with a height of 13 metres. Reduce low eastern branches by 3metres and low western branches by 2metres (Existing E-W spread 13 metres). Remove significant deadwood. Maximum diameter cuts of 50mm.		<p>Tree Officer's Report: A maturing Deodar Cedar growing prominently within the communal grounds. The tree had lost its leading stem and several upper laterals had become the upper apex. No assessment had been provided detailing extent of decay or possible instability in respect of possible failure of the top of the tree and the target below was relatively low. The lower crown grew down onto the surrounding shrubs, small trees and work sheds.</p> <p>Split decision Reduction in height would reduce the amenity value of the tree so it was unclear if works were necessary or precautionary. Given the low target value, there was no overwhelming need to allow works on a precautionary basis therefore</p> <p>Recommendation for Refusal The proposed reduction of low branch length would provide space for plants growing under the crown & would not impact on amenity value therefore Recommendation for Approval in line with guidelines</p>	<p>Split Decision in accordance with the Tree Officer's report.</p> <p>Approval of reduction of low Eastern & Western branches.</p> <p>Refusal of crown reduction to reduce height.</p>
LIMIT	03.12.15				

P15/169. To consider the Planning Applications for consultation set out below

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Brixington				
PLAN No:	15/2079/FUL	<p>30 Little Meadow Mrs Alison Rogers Erection of attached dwelling and detached garage</p> <p>Note: Plus <u>revised</u> Location Plan to show parking provision for No:30 (not to scale)</p> <p>Mr D James, Mr N Ferreday, Mr R Buckland & Mr T Bouchier spoke during the public speaking time against the application.</p>	<p>Highways gave standing advice</p>	<p>13 x Reps – Out of keeping with the area, be intrusive, would form a terrace in an area of semi's and cause harm to the spacious feel of that part of the estate. Overlooking issues, loss of light into properties on Parkside Drive and 32 & 49 Little Meadow. Pressure on parking on the street which was already beyond saturation stage. Vehicular access to parking at 30a was on a blind bend on a narrow road. The dwelling was close to the boundary of other adjacent dwellings resulting in loss of amenity for the occupants and loss of privacy and light. Over development of a small open space. Several shrubs, trees and greenery would be removed on the site and building take away natural absorption of rain water creating an adverse impact on properties nearby Pressure on sewers.</p>	<p>Objection on the grounds:</p> <ul style="list-style-type: none"> • Out of keeping with the streetscene and spacious character of the neighbour-hood. • Over development of the site. • Access on a blind bend on the narrowest part of the road. • Intrusive resulting in the loss of amenity and privacy to adjacent dwellings. • Contribute to further on street parking pressure. <p>Request that SWW was consulted to confirm that drainage & sewage could be attached to No.30.</p>
LIMIT	20.11.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Littleham				
PLAN No:	15/2435/FUL	Rose Lodge 2 Isca Road Mr P De Groot Retention of garden shed	Highways did not wish comment Cllr. M Williamson had no objection	2 x Reps – objected on the closeness of the shed to the boundary fence of flat 1, Croylands Court and it was erected as a temporary structure when previous building work was taking place and should have been removed.	No Objection subject to the colour being acceptable.
LIMIT	19.11.15				
PLAN No:	15/2215/FUL	Land At 4 Portland Avenue Mr R Galler Alterations and extensions to dwelling and conversion to form 2 additional flats including dormer windows in the roof and balconies on rear elevation (revision to planning application 14/3003/FUL to include pergoda)	Highways gave standing advice	4 x Reps – objected to the front dormer window and the over development of the site. Privacy screen was totally inadequate and the gardens of a nearby properties would be overlooked. The pagoda was not in keeping with the Avenues Design Statement. Concerned about the conversion to flats putting extra strain on the sewerage system.	Objection on the grounds that it was over development of the site, loss of privacy and overlooking. The pagoda was not in keeping with the Avenues Design Statement.
LIMIT	19.11.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	15/2487/MRES	<p>Land Off Queens Drive East Devon District Council Approval of access, appearance, landscaping and scale for the highway re-alignment and parking areas, demolition of cafe, selected beach huts and shelter as part of the reserved matters of outline application 13/1819/MOUT.</p> <p>Pat Eastwood, Gordon Hodgson and Tim Cope spoke during the public speaking time against the application.</p>	<p>Conservation Officer had no objection. Environmental Health had no objection. Cllr. M Williamson supported the application subject to Environmental Health and a Construction Environment Management Plan. Cllr. A Greenhalgh had no objection. Contaminated Land Officer had no concerns. South West Water had no objection. Devon Archaeologist wished to be made aware of work to be implemented via the Historic Environmental Team.</p>	<p>13 x Reps – object to moving of the road as people liked to drive all the way along the seafront and the road was on a flood plain. Concerned about badgers present in the area. Movement of traffic along Exmouth front would get clogged up with traffic accessing the car park, cricket club and bowling green. Concerned that the road would add to the water run off which had made the outfield of the Cricket Club much wetter since other developments had taken place to the west.</p>	<p>No Objection but were concerned about the lack of EDDC consultation, supporting information and habitat report.</p>
LIMIT	20.11.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
PLAN No:	15/2493/FUL	<p>Exmouth Fun Park Queens Drive East Devon District Council Infill of 2 no ponds with site-won material from adjacent highway works.</p> <p>Morgan Wright and Louise MacAllister spoke during the public speaking time against the application.</p>	<p>Highways had no objection Natural England had no objection subject the natural environment being managed Cllr. M Williamson supported the application in line with the Waste Management Plan and subject to Environmental Health Environmental Health supported the application but requested if any night work needed to take place 7 days prior notice was requested Environmental Agency had no objections subject to infill not being raised above the surrounding area Conservation Officer has no objection. Contaminated Land Officer has no concerns subject to the back fill material being suitable.</p>	<p>40 objections – Exmouth Civic Society objected to the infilling of the ponds prematurely as they were to be considered under phase 3 of the development which was subject to a public consultation. Removal of the iconic ponds would have a negative impact for locals and visitors. It was a traditional landmark of the town and part of the town's heritage and uniqueness. Loss of a traditional affordable open space attraction which was safe for children and provides seasonal employment with a local business. Concern that badgers were present in the vicinity.</p>	<p>Request deferral until the outcome of current litigation was decided and until there was full public consultation in respect of the proposed phase 2 & 3 development of the site as the pond were part of the process.</p>
LIMIT	20.11.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Town				
PLAN No:	15/2233/FUL	11 Rolle Street OLIM Property Construction of second floor extension to create residential unit	Highways did not wish comment	None	No Objection in principle but subject to a sequential test and a Flood Risk Assessment.
LIMIT	18.11.15				
PLAN No:	15/1025/FUL	Landon House 9 New North Road Ms L Lee Change of use of day care centre (b1 - non-residential use) to 4 no flats (c3 use) including demolition of part of the existing building and construction of two storey extension	Environmental Health did not have any concerns Cllr. B Nash supported the application	2 x Reps – residential use would put pressure on parking. Concerned by the adjoining property of loss of light and access through that property to carryout building work.	Objection on the grounds of loss of privacy, over development, overlooking and loss of amenity of adjoining properties.
LIMIT	19.11.15				

		PROPOSED DEVELOPMENT	COMMENTS	REPRESENTATIONS	OBJ/NO OBJ
WARD	Withycombe Raleigh				
PLAN No:	15/2308/FUL	299 A T C Squadron Phear Park Withycombe Road Wessex Reserve Forces And Cadet Association Demolition of existing structure and construction of single storey joint cadet centre with associated works	Highways did not wish comment Environmental Health did not have any objections Conservation Officer did not wish to comment	None	No Objection. It was suggest that the applicant could remove some slabs and boulders on the site that were from the original house and use them to erect a memorial in respect of Marpool House.
LIMIT	20.11.15				

P15/170. ITEMS FOR CONSIDERATION

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

Ref No. 040490

Premises: Spar Convenience Store,
Units 1-3 Ocean Blue, The Esplanade, EX8 2AZ

Ward: Littleham

Name of applicant: Callands Retail Ltd

Premises Licence Minor Variation Application to include

PROPOSED VARIATION

To extend the retail area of existing premises to include unit 1. All existing licensing hours and conditions to extend into this area.

Last Date for receipt of representations by the Licensing Authority:

25 November 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.

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

Ref No. 040584

Premises: Spoken, 43 The Strand, EX8 1AL

Ward: Town

Name of applicant: Hospitality Exmouth Limited

Premises Licence Variation Application to include

PROPOSED VARIATION

To remove conditions 2-8 and 12 - 18 of Annexe 2 and conditions 2,4,5,6 & 8 of Annexe 3 of the current licence.

To amend condition 3 of Annexe 3 to read ' There shall be no consumption of alcohol in the external licensed area after 12 midnight'.

To amend the internal layout of the premises to include new walls - as per submitted plan and to introduce an opening window/hatch in place of an existing window to the front of the premises.

Last Date for receipt of representations by the Licensing Authority:

2 December 2015

RESOLVED: No Objection provided the same conditions regarding the playing of music were applied to those at The Merchant where the hatch was closed, as the folding doors were there.

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

(iii) **PREMISES AND CLUB PREMISES LICENCE APPLICATIONS, VARIATIONS AND MINOR VARIATIONS RECEIVED UNDER THE LICENSING ACT 2003 Ref No. 040582**

Premises Ashcroft Bassetts Gardens, EX8 4EE

Ward: Brixington

Name of applicant: Southwest Hampers Limited

Premises Licence Application to include

Activities - Times requested

Time From Time To

J. Supply of alcohol for consumption OFF the premises only

Monday to Friday

8:30am

5:30pm

CONDITIONS OFFERED BY APPLICANT

The Business is an online business only, and members of the public will not be able to call at the premises.

Customers ordering online must enter their date of birth and tick a box stating they are over 18 years of age before they can purchase any drinks that contain alcohol. This requirement will also be displayed as part of the terms and conditions of sale published on our website.

All of our products will be delivered and will require the recipient to provide proof of age if they appear to be under 18 years old. Proof of age can be a PASS approved Proof of age card or other similar card, a photo drivers licence or a passport.

The ABV of every product containing alcohol will be clearly displayed on the website.

Our hampers only contain Alcoholic products that complement the food hamper they form part of.

Non-alcoholic drinks and beverages will be promoted in the same way as alcoholic drinks.

We will not use any advertising that appeals to those under the legal age to purchase alcohol.

Last Date for receipt of representations by the Licensing Authority:

3 December 2015

RESOLVED: Deferred to the next meeting on the 30th November pending further information on movement of traffic delivering alcohol to the premises, collection of hampers and storage of alcohol on the premises.

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

P15/171. ITEMS FOR INFORMATION

(i) EDDC Planning Enforcement

A copy letter sent by EDDC Enforcement officer was previously circulated for information.

P15/172. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS

APPLICATION	EXMOUTH TOWN COUNCIL VIEW	EDDC DECISION
15/1828/LBC The Mews Cottage Knappe Cross Brixington Lane	No Objection	Withdrawn
15/2152/FUL Chantun Foxholes Hill	No Objection	Conditional Approval
15/2227/FUL 27 Dening Court	No Objection	Approval
14/2066/LBC Co-Op 8-10 Littleham Road	No Objection	Conditional Approval
15/2076/FUL Ground Floor Flat 153 Exeter Road	No Objection	Approval
15/2129/FUL 9 Cliston Avenue	No Objection	Approval
15/2147/FUL 20 Greenhill Avenue	No Objection	Approval
15/1873/FUL 33 Pine Road	No Objection	Conditional Approval
15/1897/FUL Exmouth Leisure Centre Royal Avenue	No Objection	Approval
15/1913/FUL 9B Portland Avenue	Split Decision	Approval
15/2053/FUL 9 Rodney Close	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 19.28

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