

MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON TUESDAY 3rd MAY 2016 AT 6.00 P.M.

PRESENT: Councillors: L Elson (Chairman)
B Bailey F Caygill (Arrived 18.15)
B De Saram T Dumper
P Garbutt (Observing)
T Hill C Nicholas
B Toye J Trail

APOLOGIES: Councillors C Gough & J Humphreys

PUBLIC SPEAKING TIME

The meeting was adjourned for:-

Cllr E Wragg spoke against planning application 16/0793/FUL, 2 The Esplanade, construction of balcony on first floor elevation, removal of rear wall and structures to form parking area with new rear gates

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

P16/047. MINUTES

The Minutes of the meeting held on 18th April 2016 were approved.

P16/048. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS

Councillor B Toye declared a personal interest in respect of planning application 16/0699/FUL, 8 Camperdown Terrace, as he knew the applicant.

Councillors B Bailey and C Nicholas declared a personal interest in respect of items for consideration, Premises Licence applications for The Bath House, Manor In the Gardens and Prezzo as they sat on the licensing sub-committee at EDDC who would decide the application.

P16/049. URGENT BUSINESS

None

P16/050. To Determine Applications under Delegated Powers.

		APPLICATIONS FOR DETERMINATION	COMMENTS	STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS	DECISION
WARD	Brixington				
PLAN No:	16/0550/TRE	153 St Johns Road Mr Gary Moyle T1, Oak: Fell smaller suppressed single stem tree. T2, Oak: Remove lower southern limb, over driveway (@7m) back to main stem (1 of 200mm pruning cut). T3, Lime: Fell.		<p>Tree Officer's Report – T1 Oak formed part of a larger significant group and was part of a wind firm tree group – its removal would increase the risk failure of adjacent trees. There were 2 crossing branches over the drive at approximately 10 mtrs that required attention through bracing and or pruning. T2 Oak was dominant and grew over the driveway at approximately 7mtrs and removal would not affect the amenity value of the trees. T3 Lime was a maturing medium lime with a good level of public amenity with a slight lean to the north. There was no evidence of root plate lifting or obvious breaks in the crown so no signs of recent movement and lack of supporting evidence to fell.</p> <p>Split decision – approve T2 and recommendation for T1 to be braced and pruned.</p> <p>Refuse the felling of T1 & T3 as the trees contributed to the amenity and character of the area.</p>	<p><u>Split Decision</u></p> <p>Approval of T2 & for T1 to be braced and pruned</p> <p>Refusal of the felling of T1 & T3 in accordance with the Tree Officer's report.</p>
LIMIT	02.05.16				

P16/051. To consider the Planning Applications for consultation set out below

		APPLICATIONS FOR DETERMINATION	COMMENTS	STATUTORY CONSULTEES VIEWS OF REPRESENTATIONS	DECISION
WARD	Halsdon				
PLAN No:	<u>15/2476/FUL</u>	19A Littlemead Lane Mr N M Eyres Construction of detached dwelling (amendments to planning permission 11/0261/FUL to include the construction of front and rear dormer windows, second floor window in north west elevation and garage linked to the dwelling)		1 x Rep – the second floor window was intrusive as it would tower above the adjacent property resulting in overlooking. The ballerina window was too prominent.	Objection on the grounds that the second floor dormer & Juliette balcony window was overlooking and out of keeping with the Streetscene.
LIMIT	16.05.16				
PLAN No:	16/0936/FUL	Kairouan, Courtlands Lane Mr J Lucas Additional dormer window to side elevation		None	No Objection
LIMIT	13.05.16				

PLAN No:	16/0877/FUL	231A Exeter Road Mr & Mrs P Ashwin Construction of second floor extension to provide sunroom Amended plans for consultation. Revised plans to show alteration to curtilage boundary	Town Council 18.04.16 Objected on the grounds of out of keeping with the area.	3 x Rep received since application discussed on 18.4.16. Neighbours objected that the proposal was out of keeping with that of a chalet style bungalow and raise above the existing ridge line. Also concerned about overlooking and the loss of privacy.	Objection to the amended plans on the same grounds as before as the concerns had not been addressed.
LIMIT	16.05.16				
WARD	Littleham				
PLAN No:	16/0856/FUL	Devon Cliffs Holiday Centre Sandy Bay Bourne Leisure Ltd Retention of rocks installed for the purposes of safety.	Highways- Did not wish to comment.	None	No Objection
LIMIT	05.05.16				

PLAN No:	16/0973/FUL	50 Foxholes Hill Mr & Mrs C Rhodes Loft conversion incorporating balcony, construction of rear single storey extension, extension and alterations to decked area and cladding to all elevations		None	No Objection
LIMIT	13.05.16				
PLAN No:	<u>16/0555/FUL</u>	Addendum 3A Salterton Road Mrs S Galsworthy Demolition of existing structures and construction of dwelling and car port. Amended Plans Revised design of proposed dwelling	Town Council 04.04.16 had no objection to the original application. Highways had no objection	None	No Objection to the amended plans
LIMIT	05.05.16				
PLAN No:	<u>16/0763/FUL</u>	Addendum Elmsleigh, 10 Cyprus Road Mr & Mrs Munnings Replacement porch, garage and retention of timber deck area. Amended Plans Amended proposal description – retention of timber deck area.	Town Council 18.04.16 - No objection	None	No Objection to the amended plans
LIMIT	06.05.16				

WARD	Town				
PLAN No:	<u>16/0699/FUL</u>	8 Camperdown Terrace Mr Joseph Bailey Construction of wooden shed and greenhouse, retention of decking over existing embankment, retention of works to flood wall including buttressing of collapsing section and changes to garden.	<p>Note: Cllr B Toye had previously declared a personal interest.</p> <p>Highways- did not wish to comment.</p> <p>DCC Flood Risk Suds – insufficient information provided in respect of the disposal of surface water from site to enable them to comment.</p> <p>Environmental Agency advised that they did not need to be consulted, however gave general advice to the applicant in respect of flood resilience.</p>	1 x Rep - Concerned that the property's boundary had been extended into Camperdown Creek and the implications of setting a precedent.	The Committee were minded to defer, however in view of the target date for comments objected on the grounds of insufficient information submitted with the Flood Risk Assessment.
LIMIT	03.05.16				

<p>PLAN No:</p>	<p>16/0793/FUL</p>	<p>2 Esplanade Mrs Jean Madge Construction of balcony on first floor elevation, removal of rear wall and structures to form parking area with new rear gates</p> <p>Cllr E Wragg spoke during the public speaking time.</p>	<p>Highways- Did not wish to comment.</p> <p>Conservation - no comment had been received at the time of the meeting.</p>	<p>1 x Rep – Neighbour objected to the proposed balcony. The property was in a conservation area and one of four almost identical properties which retained many of their original features. Concerned that the balcony would reduce light to their ground floor lounge and impair their privacy.</p>	<p>Deferred pending receipt the Conservation Officer's report but minded to object on the grounds that the materials for the construction of the proposed balcony were out of keeping within a Conservation Area. No objection was made in respect of the formation of the parking area to the rear.</p>
<p>LIMIT</p>	<p>05.05.16</p>				

PLAN No:	16/878/FUL	8 The Beacon Mr Bill Gott Construction of balcony on front elevation and raising of recessed roof on rear elevation.	Highways- Did not wish to comment.	None	Objection on the grounds that the balcony would be out of keeping with the Streetscene and lack of a report from the Conservation Officer.
LIMIT	05.05.16				
PLAN No:	16/0879/LBC	8 The Beacon Mr Bill Gott Construction of balcony, re-roofing, insertion of new conservation roof lights, repairs to render and windows, removal of car port, creation of new vehicular access, raising of recessed roof on rear elevation and internal alterations	Highways- Did not wish to comment.	None	Objection on the grounds that the balcony would be out of keeping with the Streetscene and lack of a report from the Conservation Officer.
LIMIT	11.05.16				

PLAN No:	16/0748/COU	38 - 39 The Strand Prezzo PLC Change of use of public highway to site 3 no. tables, 12 no. chairs and 5 no. barriers	Conservation – Did not wish to comment Highways – had no objection as there was sufficient footway.	None	Objection on the grounds that there was a concern for public safety of pedestrians on the restricted pavement particularly when busy events were being held in Manor Gardens
LIMIT	13.05.16				

PLAN No:	16/0715/PDO	1 Victoria Road Mr Richard Gray Prior approval of proposed change of use of offices (B1a) to residential (C3)	Note this was not a planning application. The presumption was that this development could proceed without requiring planning permission unless we objected on grounds of transport and highways impact, contamination risks on the site and/or flooding risks on the site.	Environment Agency object in the absence of an acceptable Flood Risk Assessment (FRA). The submitted FRA does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.	No Objection subject to a satisfactory FRA being submitted.
LIMIT	13.05.16				
PLAN No:	16/0324/FUL	Devon Metalcrafts Ltd, Victoria Way Devon Metal Crafts Erection of two storey light industrial unit (use class B1) Amended plans for consultation. Revised Flood Risk Assessment following comments from the Environment Agency.	Town Council 07.03.16 No Objection subject to Environmental Health's request for clarification on the hours of opening.		No Objection to the amended plans.
LIMIT	16.05.16				

P16/052. ITEMS FOR CONSIDERATION

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

Ref No: 041451

Premises: Bath House Esplanade, EX8 2AZ

Ward: Town

Name of applicant: Greene King Retailing Ltd

Premises Licence Minor Variation Application To Include PROPOSED VARIATION

To vary the licensing plan to show internal refurbishment of the premises including extending the bar counter.

Last Date for receipt of representations by the Licensing Authority 03 May 2016

Noted

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

Ref No. 041509

Premises: Manor In The Gardens, 5 St Andrews Road, EX8 1AP

Ward: Town

Name of applicant: Manor Cottage (Exmouth) Ltd

Premises Licence Variation Application to include PROPOSED VARIATION

To extend the hours for alcohol & opening times as follows:

Hours for sale of alcohol to extend by 1 hour on Mondays, Tuesdays, Wednesdays, Thursdays & Sundays to end at 12 midnight.

Premises opening hours to extend by 1 hour on Mondays, Tuesdays, Wednesdays, Thursdays & Sundays to close at 12:30am.

Premises opening hours and the sale of alcohol to start at 8am instead of 10am Monday to Sunday.

Last Date for receipt of representations by the Licensing Authority 16 May 2016

RESOLVED objection on the grounds of the protection of children from harm. The Committee were concerned about the proposal for the sale of alcohol to start at 8am as there was a Children's play facility in the building next door. Should the application go to mediation, Cllr T Hill agreed to attend.

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

Ref No. 041530

Premises Prezzo 38-39, The Strand, EX8 1AH

Ward: Town

Name of applicant: Prezzo Limited

Premises Licence Variation Application to include

PROPOSED VARIATION

To amend the premises licence from on sales of alcohol to off sales of alcohol to allow service to outside tables and to amend the layout of the premises.

Last Date for receipt of representations by the Licensing Authority 19 May 2016

RESOLVED: No objection subject to the conditions being in line with other establishments in the area.

Note: Cllrs. B Bailey and C Nicholas left the room whilst discussions took place for the above licensing applications as they had previously declared a personal interest.

P16/053. ITEMS FOR INFORMATION

(i) ENFORCEMENT LETTER

A copy letter was attached for information.

(ii) Adoption of the Community Infrastructure Levy (CIL) Charging Schedule

East Devon District Council formally adopted its Community Infrastructure Levy (CIL) Charging Schedule on 20 April 2016. The Charging Schedule would take effect from 1 September 2016.

The adopted Charging Schedule and a Compliance Report setting out how the charging schedule was amended in light of the modifications recommended by the Examiner could be found online at <http://eastdevon.gov.uk/planning/planning-policy/community-infrastructure-levy-cil/> together with further information about CIL.

(iii) Tree Works Considered An Exception

Copy letter from EDDC attached for information.

(iv) Tree Preservation Order Notices

Copy memos attached for information.

P16/054. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS

APPLICATION	EXMOUTH TOWN COUNCIL VIEW	EDDC DECISION
15/1025/FUL Landon House, 9 New North Road	Objection	Withdrawn
15/2654/FUL 4 Elwyn Road	No Objection	Conditional Approval
15/2831/FUL 11 Biction Street	No Objection	Conditional Approval
15/2911/LBC 11 Bicton Street	No Objection	Conditional Approval
15/2797/FUL 4 Merrion Avenue	No Objection	Conditional Approval
16/0465/FUL Devon Cliffs Holiday Centre	No Objection	Approval
16/0589/FUL 1 Raddenstile Lane	No Objection	Refusal

16/0760/FUL 17 Chapel Hill	No Objection	Withdrawn
St Saviours 12 & 14 Morton Road	No Objection	Withdrawn
16/0305/FUL 84 Foxholes Hill	No Objection	Conditional Approval
16/0448/FUL 36 Anson Road	No Objection	Approval
16/0577/FUL 71 Salterton Road	No Objection	Conditional Approval
15/1938/MFUL 83 Salterton Road	No Objection	Conditional 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 19.00

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