

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE CHAMBER, EXMOUTH TOWN HALL, ST ANDREWS ROAD, EX8 1AW ON TUESDAY 14 MAY 2019 AT 6.00 P.M.**

**PRESENT:** Councillors: L Elson (Chairman)  
B Bailey  
F Caygill  
F Cullis  
O Davey  
T Dumper  
S Gazzard - Ex officio  
J Humphreys  
C Nicholas  
B Toye  
J Whibley

**APOLOGIES:** Cllr A Colman

**P19/068 ELECTION OF CHAIRMAN/DEPUTY CHAIRMAN**

Cllr B Toye proposed, and Councillor B Bailey seconded that Cllr L Elson be elected as Chairman of the Town Planning Committee for the ensuing municipal year.

No further nominations were received.

Following the nomination, a vote was taken and Cllr L Elson was duly elected as Chairman of the Town Planning Committee for the ensuing year.

**RESOLVED that Cllr L Elson be elected as Chairman of the Town Planning Committee**

Cllr L Elson then took the Chairman seat and continued to Chair the remainder of the meeting.

Cllr F Cullis proposed, and Councillor B Bailey seconded that Cllr T Dumper be elected as Deputy Chairman of the Town Planning Committee for the ensuing municipal year.

No further nominations were received.

Following the nomination, a vote was taken and Cllr T Dumper was duly elected as Deputy Chairman of the Town Planning Committee for the ensuing year.

**RESOLVED that Cllr T Dumper be elected as Deputy Chairman of the Town Planning Committee**

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**PUBLIC SPEAKING TIME**

The meeting was adjourned for: -

Jon Stone and EDDC Cllr M Armstrong spoke against planning application 19/0816/RES, Land to the rear of 9 Seafield Avenue, construction of detached dwelling, pursuant to outline application 17/1020/OUT (seeking permission for access, appearance, landscaping, layout and scale).

Ann Membery and EDDC Cllr Nick Hookway spoke against planning application 19/0836/FUL, Land off Queens Drive, overflow car park of approximately 50 vehicles.

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

**P19/069. MINUTES**

The minutes of the meeting held on 29 April 2019 were approved.

**P19/070. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS**

All EDDC Councillors declared an interest in planning application, 19/0836/FUL, Land off Queens Drive as the land was owned by EDDC.

Cllrs F Caygill, C Nicholas and L Elson declared an interest in planning application 19/0590/LBC, Bystock Court, Old Bystock Drive as they knew the applicant and their partner.

**P19/071. URGENT BUSINESS**

None

**P19/072. To consider the Planning Applications for consultation set out below.**

		<b>APPLICATIONS FOR DETERMINATION</b>
<b>WARD</b>	<b>Brixington</b>	
<b>PLAN No:</b>	<u>19/0840/FUL</u>  <b>EN6</b>	<p>Ashcroft, Bassetts Gardens, EX8 4EE  <b>Mr Alan Vigor</b>  Proposed detached chalet bungalow.</p> <p><b>COMMENTS STATUTORY CONSULTEES:</b></p> <p><b>VIEWS OF REPRESENTATIONS:</b>  <b>2 x Reps</b> – Construction of a 4-bedroom chalet bungalow would be over development of the site in terms of height and footprint. Concern that the access road was subsiding and causing a low single brick wall to be gradually pushed over at the entrance.</p> <p><b>1 x letter of support</b> – with a request that boundary fences should to be defined to take account of the “no build clause within the land registry”.</p> <p><b>DECISION:</b> Proposed: CN                      Seconded: LE  Objection on the grounds of overdevelopment in terms of height, mass and scale.</p>
<b>LIMIT</b>	21.05.19	
<b>PLAN No:</b>	<u>19/0590/LBC</u>  <b>Note:</b> Cllr L Elson, C Nicholas & F Caygill had previously declared an interest.  <b>EBA1 &amp; 2</b>	<p>Bystock Court, Old Bystock Drive, EX8 5EQ  <b>Miss J Rhodes</b>  Internal and external alterations to create 9 no. assisted living units. External works to include: 1 no. new external door on front elevation. Internal works to include: creation of new internal party walls and alteration to staircase</p> <p><b>COMMENTS STATUTORY CONSULTEES:</b></p> <p><b>VIEWS OF REPRESENTATIONS:</b>  None</p> <p><b>DECISION:</b> Proposed: CN                      Seconded: FC  No objection subject the Listed Buildings Officer’s report.</p>
<b>LIMIT</b>	23.05.19	

<b>APPLICATIONS FOR DETERMINATION</b>		
<b>WARD</b>	<b>Halsdon</b>	
<b>PLAN No:</b>	<u>19/0946/FUL</u>  <b>EN5</b>	<p>87 Hulham Road, EX8 4RD  <b>Mr &amp; Mrs A Cooper</b>            Construction of two storey side extension, single storey rear extension and dormer window</p> <p><b>COMMENTS STATUTORY CONSULTTEES:</b></p> <p><b>VIEWS OF REPRESENTATIONS:</b> None</p> <p><b>DECISION:</b> Proposed: BT                      Seconded: LE            No objection</p>
<b>LIMIT</b>	23.05.19	

		<b>APPLICATIONS FOR DETERMINATION</b>
<b>PLAN No:</b>	<u>19/0816/RES</u>  <b>Note:</b> J Stone and EDDC Cllr M Armstrong spoke during the public speaking time.  <b>EB2, EN5 &amp; 6</b>	<p>Land Rear Of 9 Seafield Avenue, EX8 3NJ <b>Mr &amp; Mrs M Murray</b> Construction of detached dwelling, pursuant to outline application 17/1020/OUT (seeking permission for access, appearance, landscaping, layout and scale)</p> <p><b>COMMENTS STATUTORY CONSULTEES:</b> <b>Cllr M Armstrong</b> – Objection – Location plans on the outline approval and current application differed substantially. Concerned about the overall size, height and raising of the ground level against boundary of 7A which would result in an overbearing and out of keeping appearance. The Arboricultural report related to the original application and had not been updated. Requested that the EDDC provided an updated report and pay particular attention to the silver birch and its proximity to the proposed dwelling.</p> <p><b>VIEWS OF REPRESENTATIONS:</b> <b>2 x Reps</b> – Objection on the grounds that the proposed dwelling occupied majority of the site, which had been reduced by nearly 50% and was substantially bigger than that which was approved in the outline application. The height was higher than previously agreed and would dominate the area. The proposed dwelling was overbearing and completely out of character with the area (Strategy 6 of the EDDC Local Plan).</p> <p><b>DECISION:</b> Proposed: BT                      Seconded: LE Objection in terms of size, mass and scale and was therefore contrary to the East Devon LP policy D1. Members also felt the proposal was out of keeping with the area therefore contrary to Exmouth Neighbourhood Plan policy requirement EB2. It was recognised that outline permission had been granted but it was felt this proposal was too much of a departure from the original scheme. Preference was for a single storey or smaller dwelling. Members also supported Cllr M Armstrong’s request for an updated Arboricultural report from EDDC.</p>
<b>LIMIT</b>	15.05.19	

		<b>APPLICATIONS FOR DETERMINATION</b>
<b>WARD</b>	<b>Littleham</b>	
<b>PLAN No:</b>	<u>19/0836/FUL</u>  <b>Note:</b> EDDC members previously declared an interest.  A Memberby & EDDC Cllr N Hookway spoke during the public speak time.	Land Off Queen's Drive <b>East Devon District Council</b> Overflow car park of approximately 50 vehicles <b>COMMENTS STATUTORY CONSULTEES:</b> <b>Cllr. Andrew Colman</b> - Given that not using this land could be a waste of space, he would support this application provided it was genuinely temporary. Thought should be given for long term measures to reduce traffic in the town <b>VIEWS OF REPRESENTATIONS:</b> <b>11 x Reps</b> – Concern raised over: <ul style="list-style-type: none"> <li>• anti-social behaviour within 75m of neighbouring residential area particularly as it was to be 24hr parking.</li> <li>• Area designated for use as part of phase 3 of development and had not been evidenced that additional parking was needed particularly as Maer Rd car park was underutilised.</li> <li>• The temporary car park could not become a permanent feature and there was not a specified temporary time limit – summer use.</li> <li>• Was the scheme cost effective and had a benefit analysis been carried out in respect of spending of public money?</li> <li>• Object on environmental issues – car exhaust fumes particularly so close to a children’s play area.</li> <li>• The application was submitted as full and not temporary and was also misleading as a change of use from a compound as opposed to the original recreation use.</li> </ul> <b>DECISION:</b> Proposed: JH                      Seconded: FC The application was proposed as supported but was voted against by majority on the grounds of: <ul style="list-style-type: none"> <li>• Over supply of car parking as Maer Road car park was underutilized.</li> <li>• Creation of more CO2 emission near the children’s play area.</li> <li>• Application was unjustified as the site identified was designated as a recreation and leisure zone under phase 3 proposals for the seafront.</li> <li>• Pedestrian safety in the area of proposed car park.</li> </ul>
<b>LIMIT</b>	15.05.19	

		<b>APPLICATIONS FOR DETERMINATION</b>
<b>WARD</b>	<b>Town</b>	
<b>PLAN No:</b>	<u>19/0203/FUL</u>	<p>St Saviours 12 - 14 Morton Road, EX8 1AZ  <b>Mr J Garrett</b>  Change of use of building from nursing home to 22 bed house of multiple occupation (large HMO) and construction of dormer window to rear extension</p> <p><b><u>Amended plans for consultation.</u></b>  Amended site plan to show provision of bin and recycling areas and additional information to address comments from Private Sector Housing Officer</p> <p><b>COMMENTS STATUTORY CONSULTEES:</b>  <b>Town Council</b> - Meeting 04.03.19 - Objection, concerned about the over occupation of a confined space. The application stated the provision of 22 individual rooms, however it was not clear if this could potentially mean 44 people could occupy the building. It was felt that clarification should be sort regarding the number of people the HMO would be licenced for. It was noted that Environmental Health had yet to comment. Members were concerned about the lack of parking provision. The emerging neighbourhood plan highlighted issues surrounding Town Centre parking in areas of high-density housing. Members also questioned if the premises were already used as an HMO and this was the reason for the application being submitted.</p> <p><b>Environmental Health</b> – Requested applicant consult their “Construction Sites Code of Practice” in order to ensure impact is kept to a minimum.</p> <p><b>Environment Agency</b> – No objection</p> <p><b>VIEWS OF REPRESENTATIONS:</b>  <b>5 x Reps</b> in respect of the original application.</p> <p><b>DECISION:</b> Proposed: BB                      Seconded: TD  No objection to the amended plans.</p>
<b>LIMIT</b>	14.05.19	

		<b>APPLICATIONS FOR DETERMINATION</b>
<b>WARD</b>	<b>Withycombe Raleigh</b>	
<b>PLAN No:</b>	<u>19/0902/FUL</u>  <b>EN5</b>	<p>41 Holland Road, EX8 4AY <b>Mr &amp; Mrs Wheeler</b> Construction of two storey side extension, single storey rear extension and inclusion of cladding.</p> <p><b>COMMENTS STATUTORY CONSULTTEES:</b></p> <p><b>VIEWES OF REPRESENTATIONS:</b> None</p> <p><b>DECISION:</b> Proposed: LE                      Seconded: FC No objection</p>
<b>LIMIT</b>	21.05.19	
<b>PLAN No:</b>	<u>19/0863/FUL</u>  <b>EN6</b>	<p>1 Gorfin Close, EX8 4SB <b>Mr &amp; Mrs Harry King</b> Construction of attached dwelling</p> <p><b>COMMENTS STATUTORY CONSULTTEES:</b> <b>SWW</b> - Applicant was advised to comply with requirements concerning asset protection, clean potable water, foul sewerage service and surface water surfaces. Method proposed to discharge into the ground is acceptable and meets with the run-off destination hierarchy.</p> <p><b>VIEWES OF REPRESENTATIONS:</b> <b>1 x Rep</b> – objection. Concerned that local residents would have insufficient parking and disagreed with the statement on the application form that there was ample off-street parking. Application did not demonstrate how storm water generated from the site would be managed or how the existing system to the side of their house would be maintained or protected. Any approval granted should be conditioned to mitigate concerns of surface water run-off and soakaway provision, management of sewers and management of delivery vehicles.</p> <p><b>DECISION:</b> Proposed: BB                      Seconded: LE No objection</p>
<b>LIMIT</b>	15.05.19	

		<b>APPLICATIONS FOR DETERMINATION</b>
<b>PLAN No:</b>	<u>19/0748/LBC</u>  <b>EB2</b>	<p>110 Withycombe Village Road, EX8 3AG</p> <p><b>Mr &amp; Mrs Ives</b></p> <p>Replace 1 no. window on front (north west) elevation; replace 2 no. dormer windows on rear (north east) elevation; replace 1no. window and 1no. office main door /window on (north west) elevation; replace boundary gate on street side (north east) elevation and replace 6 no. windows on side (south east) elevation</p> <p><b>COMMENTS STATUTORY CONSULTEES:</b></p> <p><b>VIEWS OF REPRESENTATIONS:</b> None</p> <p><b>DECISION:</b> Proposed: BB                      Seconded: LE No objection subject to the Listed Buildings Officer's report.</p>
<b>LIMIT</b>	23.05.19	

## P19/073. ITEMS FOR CONSIDERATION

### (i) VARIATION TO PREMISES AND CLUB PREMISES LICENCE APPLICATION

Premises: Bayleaf Cafe (The) 19 The Strand, EX8 1AF

Ward: Town

Name of applicant: Mr Justin Sanders & Mr David Sanders

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

To extend the hours for the sale of alcohol and to extend the hours the premises were open to the public.

#### **EXISTING APPLICATION:**

Premises opening Hours	Time from	Time to
Monday to Sunday	08:00	22:00

Supply of alcohol for consumption ON and OFF the premises	Time from	Time to
Monday to Sunday	11:00	21:30

#### **VARIATION REQUESTED:**

Premises opening Hours	Time from	Time to
Monday to Sunday	08:00	00:30

Supply of alcohol for consumption ON and OFF the premises	Time from	Time to
Monday to Sunday	09:00	00:00

Last Date for receipt of representations by the Licensing Authority 22nd May 2019

No objection

### (ii) NOTIFICATION OF A STREET TRADING APPLICATION RECEIVED

The application from: Oliver Bainbridge

Location: Crossed Anchors bar on Beach Gardens, Esplanade, EX8 2AY

Dates: Annual consent for **everyday** 12pm - 9pm

The application was for: A box trailer fitted with bar and petrol generator, serving **alcoholic** and soft drinks. Incorporating 4 tables and 8 chairs for seating area

The following documents accompanied the application:

- A map of the trading site
- A picture of the trading unit

Date limit for comments: 28.05.19

Members strongly object to this application on the grounds that the proposal was contrary to all licensing objectives. It was felt that this type of activity was inappropriate on public beach gardens and that the applicant should look to being part of the Queens Drive Food and Drink area. Concern was raised over the noise and fumes created by the petrol generator and was therefore conflicting to licensing objectives for public safety, nuisance and the protection of children from harm. It was commented that there was plenty of other establishments where alcohol could be purchased in the area and was

therefore not needed. Against the Landscape Development Coastal Area within the World Heritage Site, Policy Strategy 44 of the EDDC Local Plan.

**ADDENDUM ITEM**

**(iii) NOTIFICATION OF A STREET TRADING APPLICATION**

The application from: Ms Antonella Castaldi - Ice Cream Van and Tracy Semmens - Catering Van

Location: Littleham Community Festival, The Crescent Recreation Ground

Dates: Saturday 18th May 2019 - 13:00 to 16:00

The application was for: 2 x catering vans

A map of the trading site accompanied the application.

Date limit for comments 16/05/2019

No objection

**P19/074. ITEM FOR INFORMATION**

**(i) PROPOSED TELECOMMUNICATION INSTALLATION**

Details of a telecommunication upgrade in respect of the existing mast facility at Pound Lane was previously circulated for information. The proposal was classed as permitted development and did not require any formal consent from the Local Planning Authority.

**P19/075. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS**

<b>APPLICATION</b>	<b>EXMOUTH TOWN COUNCIL VIEW</b>	<b>EDDC DECISION</b>
19/0404/FUL 2 keepers Cottages, Castle Lane	No objection	Approval
19/0613/FUL 8 Stevenstone Road	No objection	Conditional Approval
19/0641/FUL 101 Byron Way	No objection	Conditional Approval
19/0601/FUL 78 Salterton Road	No objection	Conditional Approval
19/0629/FUL 9 Morton Crescent Mews	No objection	Approval
19/0647/FUL Unit 2 The Point, Pier Head	No objection	Approval
<b><u>19/0622/FUL</u></b> <b>Flat 2, 19 Albion Hill</b>	<b>No objection</b>	<b>Refusal</b>
<b><u>19/0646/FUL</u></b> <b>59 Mount Pleasant Avenue</b>	<b>No objection</b>	<b>Refusal</b>
19/0496/FUL 5 St Johns Road	No objection	Approval

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

Members were reminded that EDDC would be holding training sessions on Thursday 30 May between 6-8pm and Monday 3 June 2019 between 2-4pm. The Chairman encouraged new and re-elected Councillors to attend.

**The meeting closed at: 19.13**

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