

MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE CHAMBER, EXMOUTH TOWN HALL, ST ANDREWS ROAD, EX8 1AW ON MONDAY 30 SEPTEMBER 2019 AT 6.00 P.M.

PRESENT: Councillors: L Elson (Chair)
B Bailey
F Caygill (FCa)
A Colman (Arrived 18.12)
F Cullis (FCu)
C Nicholas
B Toye
M Rosser

APOLOGIES: Cllrs T Dumper, J Humphreys & J Whibley

PUBLIC SPEAKING TIME

The meeting was adjourned for: -

Rachel Pattison spoke in support of her planning application 19/1642/FUL, Marpool County Primary School, Moorfield Road, EX83QW, Construction of school building for children with social/emotional and health needs, with associated car parking and landscaping area

Amended plans for consultation.

Amended plans to show the provision of acoustic fencing.

Submission of additional justification for the proposal.

ADDENDUM

Amended plans for consultation.

Amended plans to relocate fire exits in classrooms 3 and 4, and to remove terrace to the rear (north) of classrooms 3 and 4.

EDDC Cllr Megan Armstrong spoke against planning application 19/0816/RES, 9 Seafeld Avenue, Construction of detached dwelling, pursuant to outline application 17/1020/OUT (seeking permission for access, appearance, landscaping, layout and scale).

Amended plans for consultation.

Additional site sections:

Plan 7987-21 sections through boundary as levels proposed.

Plan 7987-22 sections with garage roof lowered by 450mm (not by 150mm as previously advised).

Ian Marshall and EDDC Cllr M Armstrong spoke against planning application 19/1445/FUL, 10 Hulham Vale, construction of two storey side extension.

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

P19/141. MINUTES

The minutes of the meeting held on 16 September 2019 were approved.

P19/142. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS

None

P19/143. URGENT BUSINESS

None

P19/144. To consider the Planning Applications for consultation set out below.

		APPLICATIONS FOR DETERMINATION
WARD	Town	
PLAN No:	<u>19/1889/TCA</u>	Flat 1, 37 North Street, EX8 1JZ Mr Dean Luckhurst Conifer: Fell COMMENTS STATUTORY CONSULTEES: Cllrs T Dumper & J Whibley – no objection subject to Tree Officer’s report. Tree Officer’s Report – This young leylandii growing in the front garden of the applicant’s property was not considered to significantly contribute to the street scene. Due to the long-term limited constraints of the growing area and low amenity value no objection was raised. Recommendation Approval VIEWS OF REPRESENTATIONS: None DECISION: Proposed: LE Seconded: BB Approval in accordance with the Tree Officer’s report.
LIMIT	04.10.19	

P19/145. To consider the Planning Applications for consultation set out below.

		APPLICATIONS FOR DETERMINATION
WARD	Brixington	
PLAN No:	<u>19/2025/FUL</u>	<p>5 The Copse, EX8 4EY Mr D Colley Construction of first floor extension.</p> <p>COMMENTS STATUTORY CONSULTTEES:</p> <p>VIEWS OF REPRESENTATIONS: None</p> <p>DECISION: Proposed: CN Seconded: FCa No objection</p>
LIMIT	03.10.19	
PLAN No:	<u>19/1851/FUL</u>	<p>Tesco Express Churchill Road, EX8 4JJ Mr Horwood Installation of replacement refrigeration unit</p> <p>COMMENTS STATUTORY CONSULTTEES:</p> <p>VIEWS OF REPRESENTATIONS: None</p> <p>DECISION: Proposed: FCa Seconded: AC No objection</p>
LIMIT	09.10.19	

		APPLICATIONS FOR DETERMINATION
PLAN No:	<u>19/1476/FUL</u>	<p>19 Marcus Road, EX8 4DB Mr Stephen Ford Construction of two storey rear extension & re-modelling of rear garden to create extended level area by the installation of gabion basket retaining walls.</p> <p><u>Amended plans for consultation.</u> Removal of retaining wall and gabion baskets</p> <p>COMMENTS STATUTORY CONSULTEES: Town Council – 19.08.19 – No objection Cllrs A Colman & F Caygill – No objection to extension of house but objected to re-modelling of the rear garden, concerned about the loss of trees and amenity. Proposal contrary to ENP.</p> <p>VIEWS OF REPRESENTATIONS: 5 x Rep in respect of the original application 3 letters in support.</p> <p>DECISION: Proposed: AC Seconded: CN No objection to the amended plans.</p>
LIMIT	08.10.19	
WARD	Halsdon	
PLAN No:	<u>19/2069/FUL</u>	<p>9 Shakespeare Way, EX8 5SN Mr Mark Cherry Proposed two storey side extension</p> <p>COMMENTS STATUTORY CONSULTEES:</p> <p>VIEWS OF REPRESENTATIONS: 1 x Rep – objected to the loss of light/overshadowing and overbearing presence the new structure which would impact on their property. Increasing the footprint of the garage and raising the height would result in a loss of light through their kitchen/bedroom window and have an overbearing presence.</p> <p>DECISION: Proposed: BT Seconded: LE No objection</p>
LIMIT	09.10.19	

		APPLICATIONS FOR DETERMINATION
PLAN No:	<u>19/1607/FUL</u> ENP – H2, EN5 & 6, EB2	192 Hulham Road, EX8 4RB Mr A Woods (Woods Property Whitchurch Ltd) Demolition of existing bungalow and erection of 3 no. two storey detached dwellings COMMENTS STATUTORY CONSULTEES: VIEWS OF REPRESENTATIONS: 1 x Rep – Proposal excessive considering size of plot and character of surrounding houses. DECISION: Proposed: LE Seconded: BT Objection on the grounds of overdevelopment of the site, size mass and scale and therefore contrary to ENP policy EB2. Concern was raised over the TPO tree and potential drainage issues.
LIMIT	07.10.19	
PLAN No:	<u>19/1445/FUL</u> Note: I Marshal & EDDC Cllr M Armstrong spoke during the public speaking time.	10 Hulham Vale, EX8 4QB Mr And Mrs P Lawrance Construction of two storey side extension. COMMENTS STATUTORY CONSULTEES: VIEWS OF REPRESENTATIONS: 1 x Letter of objection, previously emailed to members. DECISION: Proposed: BT Seconded: LE Objection on the basis of overdevelopment of the site, out of keeping with the area and therefore contrary to ENP policy EB2.
LIMIT	08.10.19	

		APPLICATIONS FOR DETERMINATION
PLAN No:	<u>19/0816/RES</u> Note- EDDC Cllr M Armstrong spoke during the public speaking time.	<p>9 Seafield Avenue, EX8 3NJ Mr & Mrs M Murray Construction of detached dwelling, pursuant to outline application 17/1020/OUT (seeking permission for access, appearance, landscaping, layout and scale)</p> <p><u>Amended plans for consultation.</u> Additional site sections: Plan 7987-21 sections through boundary as levels proposed. Plan 7987-22 sections with garage roof lowered by 450mm (not by 150mm as previously advised).</p> <p>COMMENTS STATUTORY CONSULTEES: Town Council – 14.05.19, 08.07.19 & 05.08.19. Objection to the size, mass & scale. Out of keeping with the area and overlooked neighbouring property and their loss of privacy. Preference was for a single storey or smaller dwelling. EDDC Trees – no objection subject to conditional approval. Cllr M Armstrong – Objects to the latest amended plans. The amendments did not address previous concerns over height, size and overbearing effect on no.7A and the proposal being totally out of keeping with the surrounding area.</p> <p>VIEWS OF REPRESENTATIONS: 1 x Rep – in respect of amended plans. The proposed dwelling was out of keeping, being a large property set within a small plot with no garden space and would set a precedent for other small corners and garden to be developed. The proposed dwelling would stand an extra storey higher than 7a. It would be an imposing relation to 7a and the profiles in the area. 5 x Rep in respect of the original application.</p> <p>DECISION: Proposed: LE Seconded: BT Objection sustained, the amended plans did not mitigate previous concerns raised concerning size, mass & scale and therefore still contrary to ENP policy EB2.</p>
LIMIT	26.09.19	

		APPLICATIONS FOR DETERMINATION
WARD	Littleham	
PLAN No:	<u>19/1952/FUL</u>	<p>26 Bicton Street, EX8 2RU Mr R Kershaw Install railings to front elevation.</p> <p>COMMENTS STATUTORY CONSULTEES:</p> <p>VIEWS OF REPRESENTATIONS: None</p> <p>DECISION: Proposed: MR Seconded: BB No objection subject to the Listed Buildings Officer's report.</p>
LIMIT	03.10.19	
PLAN No:	<u>19/1743/LBC</u>	<p>9 Rolle Road, EX8 2AA Mr Robert Slightholme External repairs and redecoration and internal redecoration to communal staircase; the replacement of rainwater goods where required; replacement 1no. door on front (south west) elevation and 1no. door on side (south east) elevation; replacement sash window to 9b on rear elevation and installation of fire alarm and emergency lighting</p> <p>COMMENTS STATUTORY CONSULTEES:</p> <p>VIEWS OF REPRESENTATIONS: None</p> <p>DECISION: Proposed: MR Seconded: BB No objection subject to the Listed Buildings Officer's report.</p>
LIMIT	08.10.19	

		APPLICATIONS FOR DETERMINATION
PLAN No:	<u>19/2083/FUL</u>	6 Trefusis Place, EX8 2AR Mr & Mrs J Relph Sun room extension to rear of property. COMMENTS STATUTORY CONSULTEES: VIEWS OF REPRESENTATIONS: None DECISION: Proposed: BB Seconded: MR No objection
LIMIT	14.10.19	
PLAN No:	<u>19/1953/LBC</u>	26 Bicton Street, EX8 2RU Mr S Kershaw Remove timber sunroom from rear, close doorway and replace with window. Remove window and replace with door, insert new window in kitchen, insert wc. Replace window on rear elevation. COMMENTS STATUTORY CONSULTEES: VIEWS OF REPRESENTATIONS: None DECISION: Proposed: MR Seconded: BB No objection subject to the Listed Buildings Officer's report.
LIMIT	14.10.19	
WARD	Town	
PLAN No:	<u>19/1907/FUL</u>	Flat 1, 80 St Andrews Road, EX8 1AS Mr D Cliffe Construction of PVCu porch to the side of the rear extension COMMENTS STATUTORY CONSULTEES: Cllrs T Dumper & J Whibley – No objection subject to Conservation Officer's comments. VIEWS OF REPRESENTATIONS: None DECISION: Proposed: LE Seconded: FCa No objection subject to Conservation Officer's report.
LIMIT	07.10.19	

		APPLICATIONS FOR DETERMINATION
PLAN No:	<u>19/1753/MFUL</u>	<p>Sams Funhouse, St Andrews Road/Imperial Road, EX8 1AP</p> <p>Stag Inns (Exmouth) Ltd Demolition of existing buildings and construction of 35 apartments on the upper floor; cafe/bar, restaurant and youth centre on the ground floor with associated parking, cycle and bin store provision</p> <p><u>Amended plans for consultation.</u> Flood risk assessment and drainage strategy report</p> <p>COMMENTS STATUTORY CONSULTEES:</p> <p>Town Council - 19.08.19 - Objection on the grounds that the proposal was overdevelopment of the site in terms of its mass and scale. The site was in Conservation Area, members felt the design had not been mindful of the surrounding building styles and therefore contrary to policy EB2 of the Neighbourhood Plan. The parking provision was inadequate for the number of proposed dwellings.</p> <p>Cllr T Dumper – No objection to reports forming the amendment. Still objected to substantive application.</p> <p>Cllr J Whibley – Object to the application as it stood. The pressure on the local roads and parking areas cannot sustain the increase in pressure that 35 flats would place thereupon. In the long term, had reservations as to whether residents living above would accept the noise levels expected from the Hub. It was vital to safeguard any community facilities, especially those aimed at the young - other than a few choice sites, they had very little. Questioned the proposed design and construction of the building. Was it really of proportions and designs suitable for a conservation area?</p> <p>SWW – no objection, proposed surface water drainage strategy was acceptable in respect of attenuated discharge to public sewer meeting their requirements.</p> <p>Environment Agency – 19.08.19 Objected on flood risk grounds. The FRA, as submitted did not correctly identify the level of flood risk and appropriate mitigation. No further comment received since amended FRA submitted.</p> <p>DCC Flood Risk Management Team – Objection, surface water drainage management plan required.</p> <p>Police Architectural Liaison Officer 28.08.19 – Raised a number of concerns regarding the design, access & movement, lighting, security, bin and cycle storage and surveillance.</p> <p>Housing Strategy Officer – Plans did not identify which units were affordable or their tenure. In accordance with policy 6 unit should be rented and 2 units shared ownership. Concerned about the design and layout.</p> <p>Highways – No objection subject to conditional approval.</p> <p>Conservation – Objected to current proposal as it stood, though no objection in principle to site being developed. Proposed scale, mass and bulk appeared excessive.</p> <p>EDDC Trees – No arboricultural survey or report submitted.</p> <p>VIEWS OF REPRESENTATIONS:</p> <p>8 x Rep – Objecting to the original application 4 letters supporting the original application.</p> <p>DECISION: Proposed: LE Seconded: BT Objection sustained, amended plans did not mitigate previous concerns raised.</p>
LIMIT	30.09.19	

		APPLICATIONS FOR DETERMINATION
PLAN No:	<u>19/1571/FUL</u>	<p>62 - 64 New Street, EX8 1RT Mr Andrew Mann Conversion of 2nd floor to provide additional living accommodation to include raising of roof, first floor extension and dormer window extension.</p> <p><u>Amended plans for consultation.</u> Amended plan to add half hip and reduce size of dormer.</p> <p>COMMENTS STATUTORY CONSULTEES: Cllr T Dumper – still objected to roof being raised despite amendment.</p> <p>VIEWS OF REPRESENTATIONS: 3 x Rep in respect of amended plans. Previous concerns still not mitigated. Overdevelopment of the site which would affect neighbouring properties. Objected to the size of the dormer window and the raising of the roof line due to the loss of light and out of keeping with other properties in the area. The 2 windows on the first floor overlooked neighbouring property. Plans were misleading, the ground floor was for commercial use not a garage. No parking with double yellow line all round. Parking provision was not 2 spaces as stated and didn't allow for a turning area. There was no bin storage. 3 x Rep in respect of the original application.</p> <p>DECISION: Proposed: LE Seconded: AC Objection sustained, amended plans did not mitigate previous concerns raised that the proposal was over development, loss of light to neighbouring properties and out of keeping with the rest of the street scene and terrace. The proposal was therefore contrary to the ENP policy EB2.</p>
LIMIT	30.09.19	

APPLICATIONS FOR DETERMINATION		
WARD	Withycombe Raleigh	
PLAN No:	<u>19/1971/FUL</u> ENP - EN5, EN6, EB2	<p>Land Adjacent 33 Brooklands Road, F...</p> <p>Mr Nigel Bidgood</p> <p>Construction of attached d...</p> <p><u>Amended plans for variation.</u></p> <p>Relocation of eastern elevation</p> <p>STATUTORY CONSULTEES:</p> <p>VIEWS OF REPRESENTATIONS:</p> <p>DECISION: Proposed: Seconded:</p>
LIMIT	02.10.19	

EDDC Administration error - amended plans notification sent in error

		APPLICATIONS FOR DETERMINATION
PLAN No:	<u>19/1642/FUL</u>	<p>Marpool County Primary School, Moorfield Road, EX8 3QW</p> <p>Mrs Rachel Pattison Construction of school building for children with social/emotional and health needs, with associated car parking and landscaping area</p> <p><u>Amended plans for consultation.</u> Amended plans to show the provision of acoustic fencing. Submission of additional justification for the proposal.</p> <p>ADDENDUM <u>Amended plans for consultation.</u> Amended plans to relocate fire exits in classrooms 3 and 4, and to remove terrace to the rear (north) of classrooms 3 and 4.</p> <p>COMMENTS STATUTORY CONSULTEES: Town Council – 19.08.19 – No objection to original application. Environmental Health - 18.09.19 – Amended plans for the 2m acoustic fencing addressed concerns and provided appropriate mitigation for potential impact of noise. Recommended application conditioned that the fence was kept in good repair and maintained. Highways – 02.09.19 – No objection to the original application.</p> <p>VIEWS OF REPRESENTATIONS: 2 x Rep in respect of the amended plans. If fence was erected as suggested at 0.5m from boundary of 198 Withycombe Village Rd this would involve removal of the screen trees. A fence was already in situ, coupled with the tree immediately adjacent provide more than adequate visual and acoustic barrier. The proposed building would be set 4m above their property with a steep bank. Concerned about flooding from any run off produced from 800sqm hard standing area. Amended plans did not address concerns raised. Children Centre – Concerned may have an impact on the staff using their building and families that use the car park as a means of accessing the school. Accessibility on Moorfield Close to their car park was already compromised. They had seen an increase in families walking to the school and using their car park as a cut-through. 19 x Rep in respect of the original application.</p> <p>DECISION: Proposed: BB Seconded: CN No objection to the amended plans.</p>
LIMIT	26.09.19	

P19/146. ITEM FOR CONSIDERATION

(i) COMMUNITY INFRASTRUCTURE LEVY

The Community Infrastructure Levy (CIL) was a charge to help deliver infrastructure to support development. The rate of CIL to be paid by new development was set out in a “charging schedule.” East Devon District Council adopted its Charging Schedule in April 2016 and was now in the process of revising it.

Following consultation on a “preliminary draft charging schedule” earlier this year, the Draft Charging Schedule consultation document, statement of the representations procedure, and relevant evidence had now been published.

The consultation period runs from **Wednesday 21 August until Wednesday 2 October 2019 (at 5pm)**.

Deferred item from previous meeting.

Members concurred with recommendations in the consultation document.

ADDENDUM

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

Ref No: 049681

Premises: Marks & Spencer Unit 1, Royal Avenue, EX8 1EN

Ward: Town

Name of applicant: Marks & Spencer Simply Food Ltd

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

To amend condition 5 in annexe 2 to allow the store to accept EU/National ID cards and military ID in addition to passport, photo driving licence and government approved PASS card.

Last Date for receipt of representations by the Licensing Authority 9 October 2019

Members did not wish to comment

(iii) NOTIFICATION OF A STREET TRADING APPLICATION

Application from: Gavin Roberts

Location: Various locations in Exmouth (see attached map)

Dates: Saturday 12th October 2019

Times: 16:00 - 23:00

Maximum of 8 x catering stalls for Exmouth Carnival.

The applicant had advised that traders had been asked to use packaging that was recyclable or biodegradable. Any trade waste was to be removed by the traders.

A map of the trading site was attached for information

Date limit for comments 09.10.19

Members supported the application in principle, but concern was raised that the catering stalls should not duplicate the offer of existing businesses in the area. Members requested that future applications included details of the stalls.

P19/147. ITEMS FOR INFORMATION

(i) TREE PRESERVATION ORDER

Proposal: Land at and between 66a Byron Way and 45 Wordsworth Close.

TPO No: 19/0088/TPO

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

(ii) APPEAL NOTIFICATION

Appeal By: Mr Graham Bassett

Appeal Ref: APP/U1105/D/19/3229268

Proposal: Construction of dormer windows to front and rear to enable loft conversion; construction of car port enclosure.

Location: 6 Briar Close, EX8 2NL

An appeal had been made against the decision of East Devon District Council to refuse planning permission for the proposed development. Copy letter had previously been circulated information.

(iii) APPEAL DECISION

Appeal By: Mr Nicholas Lewis

Appeal Ref: APP/U1105/C/19/3220098

Location: Land at 182 Exeter Road, EX8 3DZ

The appeal against an enforcement notice served in respect of the unauthorised erection of a fence was allowed and enforcement notice quashed. Copy letter had previously been circulated for information.

P19/148. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS

APPLICATION	EXMOUTH TOWN COUNCIL VIEW	EDDC DECISION
19/1565/FUL 39 Langstone Drive	No objection	Approval
19/1686/FUL Tors, Littlemead Lane	No objection	Conditional Approval
19/1087/FUL The Spice Lounge, Prince of Wales Drive	No objection	Conditional Approval
19/1183/FUL 10 Ellwood Road	Objection	Withdrawn
19/1723/FUL 14 Hadrians Way	No objection	Approval
19/1806/FUL 27 Belvedere Road	No objection	Approval

19/1638/FUL Garages 1-7 Raddenstile Lane	Committee felt unable to submit recommendation	Conditional Approval
19/1864/FUL 31 Green Close	No objection	Approval
19/144/FUL 1 The Broadway	No objection	Conditional Approval
19/1710/FUL Flat 2, 1 Cyprus Road	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: 19.12

SIGNED:DATED:.....