#### MINUTES OF A MEETING OF THE PLANNING COMMITTEE, HELD IN THE CHAMBER, EXMOUTH TOWN HALL, ST ANDREWS ROAD, EX8 1AW ON MONDAY 11 NOVEMBER 2019 AT 6.00 P.M.

PRESENT: Councillors: L Elson (Chair)

F Cullis (FCu) C Nicholas M Rosser B Toye T Dumper J Whibley

**APOLOGIES:** Clirs A Colman and J Humphreys

# P19/165. MINUTES

The minutes of the meeting held on 28 October 2019 were approved.

# P19/166. DECLARATIONS OF PECUNIARY INTEREST AND DISPENSATIONS

Cllr L Elson declared a personal interest in planning application 19/2330/FUL, Cranford Care Home, 15 Cranford Avenue as her employer attended residents in the home.

### P19/167. URGENT BUSINESS

Application 19/1930/FUL 9 Sheppards Row, alterations and extension including single storey front and side extension, addition of second storey to building and installation of windows on first floor east elevation.

This application was deferred from the meeting held on the 28 October 2019 due to no Town Ward Councillors present at that meeting.

**1 x Rep** – The narrow access lane is totally unsuitable for vehicular access and the proposed new or altered pedestrian access may be over land in others ownership. No bin storage area and no parking for the workers.

Decision: No objection.

Proposed: TD Seconded: JW

# P19/168. To Determine Applications under Delegated Powers.

		APPLICATIONS FOR DETERMINATION	
WARD	Privington		
WARD	Brixington		
PLAN No:	<u>19/2218/TRE</u>	3 St Malo Close, EX8 5RH <b>Mr Priestly</b> T1, Aesculus x carnea: fell and replant <b>COMMENTS STATUTORY CONSULTEES:</b> <b>Tree Officer's Report</b> – The semi mature Red Horse Chestnut was retained as part of the original development and could be seen from the public open space to the East. Together with a neighbouring Horse Chestnut the tree contributed to the tree landscape. Following the site visit the Tree Officer stated that the tree appeared to be in fair condition and free from any significant pests and diseases. Decay was visible from a number of previous pruning points, but no significant decay was identified at the base of the tree. <b>Recommendation for refusal –</b> as it was not considered that felling would be appropriate as no substantive arboricultural evidence had been provided nor any basal decay visible on site to support felling at this moment in time. Felling would be detrimental to the amenity of the immediate area.	
		Cllr Andrew Coleman - The applicant mentioned decay at the base of the tree to be felled, but no evidence was provided, in particular "written arboricultural advice from an expert" as requested by section 6.1 in the form. Recommendation for refusal – For the afore mentioned reason and because we should keep trees to mitigate the climate emergency, unless a report is provided. VIEWS OF REPRESENTATIONS: None.	
		DECISION: Proposed: CN Seconded: LE	
LIMIT	06.12.19	Refusal in line with the Tree Officer's report.	

		APPLICATIONS FOR DETERMINATION	
WARD	Littleham		
PLAN No:	<u>19/2221/TRE</u>	<ul> <li>Flat 4 Woodbury House, 83 Salterton Road, EX8 2EW</li> <li>Mr &amp; Mrs Tiley</li> <li>T1 Cupressus Macrocarpa</li> <li>Crown raise up to 5.5 metres over highway to comply with</li> <li>Highways Act 1980</li> <li>Crown raise over garden up to 4.5 metres</li> <li>COMMENTS STATUTORY CONSULTEES:</li> <li>Tree Officer's Report – the semi mature Monterey</li> <li>Cypress sat in the rear garden but overhung the highway.</li> <li>The proposed works was considered appropriate to ensure</li> <li>statutory clearance over the highway and would not be</li> </ul>	
		detrimental to the health or amenity of the tree. Recommendation for approval. VIEWS OF REPRESENTATIONS:	
		None.	
	05 40 40	<b>DECISION:</b> Proposed: MR Seconded: LE <b>Approval</b> in accordance with the Tree Officer's report.	
LIMIT	05.12.19		
WARD	Town		
PLAN No:	<u>19/2130/ADV</u>	Manor Hotel, The Beacon, EX8 2AG <b>Manor Hotel</b> Non-illuminated wall mounted sign on north east elevation <b>COMMENTS STATUTORY CONSULTEES:</b> <b>Town Council</b> – On 28.10.19, had no objection to the Listed Building application 19/2299/LBC subject to Conservation Officer's report – not yet received. <b>VIEWS OF REPRESENTATIONS:</b> None.	
LIMIT	20.11.19	<b>DECISION:</b> Proposed: JW Seconded: TD <b>Approval</b> subject to Conservation Officer's report.	

		APPLICATIONS FOR DETERMINATION	
WARD	Withycombe Raleigh		
PLAN No:	<u>19/2168/ADV</u>	McDonalds, Liverton Business Park, EX8 2NR McDonald's Restaurants Ltd Installation of 5no illuminated signs; 1no illuminated booth sign. COMMENTS STATUTORY CONSULTEES: None. VIEWS OF REPRESENTATIONS: None. DECISION: Proposed: FCu Seconded: TD No objection.	
LIMIT	25.11.19		

# P19/169. To consider the Planning Applications for consultation set out below.

		APPLICATIONS FOR DETERMINATION	
		DETERMINATION	
WARD	Halsdon		
PLAN No:	<u>19/2383/FUL</u> EN5	<ul> <li>17 Hill Drive, EX8 4QQ</li> <li>Mr &amp; Mrs C Forster</li> <li>Construction of side and rear extension to facilitate loft conversion and raised terrace to rear.</li> <li>COMMENTS STATUTORY CONSULTEES: None.</li> </ul>	
		VIEWS OF REPRESENTATIONS: None. DECISION: Proposed: BT	Seconded: FCu
LIMIT	21.11.19	No objection.	

		APPLICATIONS FOR		
PLAN No:	40/0000/EU	DETERMINATION		
PLAN NO:	<u>19/2309/FUL</u>	Thistledown Marley Road, EX8 4PP Mr Ray Balkwill		
		Construction of annexe		
	EN5 & 6			
		COMMENTS STATUTORY CONSULTEES:		
		None.		
		VIEWS OF REPRESENTATIONS:		
		None.		
		DECISION: Proposed: BT Seconded: LE		
		No objection with condition that annexe must not be sold		
LIMIT	13.11.19	as a separate dwelling.		
	13.11.19			
PLAN No:	19/2164/FUL	8 Mount Pleasant Court, EX8 4QX		
		Mr James Edmunds		
		Construction of summer house in the garden		
	FDA	(retrospective)		
	EB2	COMMENTS STATUTORY CONSULTEES:		
		None.		
		VIEWS OF REPRESENTATIONS:		
		<b>1 x Rep</b> – the summerhouse looked more like an industrial		
		workshop unit or residential unit as the materials used were out of keeping with the residential feel of the flats.		
		Too much of the garden had been covered by it and a		
		large tree had been damaged to make way for it.		
		DECISION: Proposed: BT Seconded: LE		
	444440	No objection.		
LIMIT	14.11.19			
PLAN No:	19/2068/FUL	53 Lyndhurst Road, EX8 3DS		
	<u> </u>	Mrs Angela Reed		
		Proposed single story rear and side extensions		
		COMMENTS STATUTORY CONSULTESS		
	EN5	COMMENTS STATUTORY CONSULTEES: None.		
		VIEWS OF REPRESENTATIONS:		
		None.		
		DECISION: Proposed: BT Seconded: LE		
LIMIT	15.11.19	DECISION: Proposed: BT Seconded: LE No objection.		

		APPLICATIONS FOR DETERMINATION	
PLAN No:	<u>19/2405/FUL</u> EN5	9 Apple Close, EX8 4QN Mrs Linda Stevens Construction of detached single storey annexe COMMENTS STATUTORY CONSULTEES: None.	
		VIEWS OF REPRESENTATIONS:         None.         DECISION: Proposed: BT       Seconded: LE         No objection.	
LIMIT	25.11.19		
WARD	Littleham		
PLAN No:	<u>19/2351/FUL</u>	29A Cranford Avenue, EX8 2QA <b>Mr C Craven</b> Construction of outbuilding.	
	EB2	COMMENTS STATUTORY CONSULTEES: None.	
		VIEWS OF REPRESENTATIONS: None.	
LIMIT	18.11.19	DECISION: Proposed: MR Seconded: LE No objection.	
PLAN No:	<u>19/2330/FUL</u> Note: Cllr L Elson previously declared an	Cranford Care Home, 15 Cranford Avenue, EX8 2HS <b>Mr J Ward</b> Proposed extension for the new lift and staircase enclosure and extension to existing lounge. <b>COMMENTS STATUTORY CONSULTEES:</b>	
	interest.	Environmental Health have no concerns.	
		VIEWS OF REPRESENTATIONS: None.	
		DECISION: Proposed: MR Seconded: LE No objection.	
LIMIT	14.11.19	-	

		APPLICATIONS FOR	
		DETERMINATION	
PLAN No:	<u>19/2172/FUL</u>	Annexe, The Coach House 14 Cranford Avenue, EX8 2HT <b>Mr &amp; Mrs Strover</b> Proposed alterations to independent dwelling, for additional accommodation, (garage to bedrooms) and new bin store	
		Additional information	
		<b>COMMENTS STATUTORY CONSULTEES:</b> <b>Town Council – 14.10.19</b> had no objection to the original application.	
		VIEWS OF REPRESENTATIONS: None.	
		DECISION: Proposed: MR Seconded: LE No objection.	
LIMIT	13.11.19		
WARD	Town		
WARD	Town		
WARD PLAN No:	Town <u>19/2184/LBC</u>	Smeaton Wall, The Esplanade Environment Agency Repairs to parapet: works to include removing loose and	
	<u>19/2184/LBC</u>	<b>Environment Agency</b> Repairs to parapet: works to include removing loose and poor mortar; resetting loose stones; replacing missing stones; repointing and filling voids under coping. Drainage works for Exmouth Tidal Defence Scheme comprising of the installation of 20no. outlets spaced out along the sea	
	<u>19/2184/LBC</u>	Environment Agency Repairs to parapet: works to include removing loose and poor mortar; resetting loose stones; replacing missing stones; repointing and filling voids under coping. Drainage works for Exmouth Tidal Defence Scheme comprising of the installation of 20no. outlets spaced out along the sea wall including flap valves (revision to 18/2175/LBC) COMMENTS STATUTORY CONSULTEES:	
	<u>19/2184/LBC</u>	<ul> <li>Environment Agency</li> <li>Repairs to parapet: works to include removing loose and poor mortar; resetting loose stones; replacing missing stones; repointing and filling voids under coping. Drainage works for Exmouth Tidal Defence Scheme comprising of the installation of 20no. outlets spaced out along the sea wall including flap valves (revision to 18/2175/LBC)</li> <li>COMMENTS STATUTORY CONSULTEES: None.</li> <li>VIEWS OF REPRESENTATIONS:</li> </ul>	

		APPLICATIONS FOR DETERMINATION	
WARD	Withycombe Raleigh		
PLAN No:	<u>19/2318/FUL</u>	Former Carpetright, Liverton Business Park, EX8 2NR <b>The Gym</b> Change of use of the retail unit (A1) to use as a gym / health and fitness centre (D2)	
		COMMENTS STATUTORY CONSULTEES: None.	
		VIEWS OF REPRESENTATIONS: None.	
		<b>DECISION:</b> Proposed: FCu Seconded: BT <b>No objection.</b> However, concerns were raised regarding the possible increase in traffic to an already congested area. Installing traffic lights at the entrance/exit of Liverton Business Park could help mitigate the traffic issues.	
LIMIT	18.11.19		

# 19/170. ITEMS FOR CONSIDERATION

#### (i) PREMISES AND CLUB PREMISES LICENCE APPLICATIONS, VARIATIONS AND MINOR VARIATIONS RECEIVED UNDER THE LICENSING ACT 2003 Ref No: 049941

Premises: Heavitree (The) High Street, EX8 1NP

Ward: Town

Name of applicant: Heavitree Brewery plc

# Premises Licence Minor Variation Application to include PROPOSED VARIATION

To reduce the opening hours on Friday and Saturday nights / Saturday and Sunday early hours to mirror existing opening hours Sunday to Thursday 10:00am to 12:30am.

To reduce licensable activities on Friday & Saturday nights to coincide with current hours granted on Sundays - Thursdays in Activities B, F,G,H,I &J.

To reduce licensable activities on Friday & Saturday nights to coincide with current hours granted on Wednesdays - Thursdays in Activities E.

The remove conditions in ANNEX 2 - Conditions consistent with operating schedule;

1,2,3,4 & 21 as these were originally provided for the extended early hours opening that is now being omitted.

To add the following condition in ANNEX 2 - On any night when the premises is open for licensable activities beyond midnight door supervisors will be employed from 21:00 until the premises are closed. Door-staff will be used at a ratio of 1:100 with a minimum of two at any time.

To remove condition (12) at ANNEX 2 as this is not consistent now or previously with the operating schedule.

Last Date for receipt of representations by the Licensing Authority <u>14th November 2019</u> Members had no objection.

(ii)	<ul> <li>ii) PREMISES AND CLUB PREMISES LICENCE APPLICATIONS, VARIATIONS AND MINOR VARIATIONS RECEIVED UNDER THE LICENSING ACT 2003 Ref No: 049903 Premises: 1912, 2 Rolle Street, EX8 1HE Ward: Town Name of applicant: Bar 1912 Limited Premises Licence Application to include</li> </ul>		
	Premises Open Hours requested	Time From	Time To
	Monday to Thursday	10:00	00:00
	Friday & Saturday	10:00	01:45
	Sunday	10:00	00:00
	Activities - Times requested	Time From	Time To
	F. Playing of recorded music (Indoors)		
	Monday to Thursday	09:30	00:00
	Friday & Saturday	09:30	02:00
	Sunday	09:30	23:00
	J. Supply of alcohol for consumption ON and OFF the prem		00.00
	Monday to Thursday	10:00	23:30
	Friday & Saturday	10:00	01:30

# CONDITIONS OFFERED BY APPLICANT

Sunday

• In general, the bar will be operated to high standards in all aspects. The very nature of the bar, the product of offer, the aesthetics, the staff and the atmosphere we intend to purvey, will set the standard of operation. The DPS and staff will ensure that all aspects of the license and licensing objectives are adhered to. The owner and DPS understand their responsibility in ensuring public safety and upholding law and order.

10:00

23:30

- CCTV installed and maintained throughout the premises. The CCTV will have the capability to download images and footage to hard drive, USB or DVD. Signage will be on display.
- 2 x SIA licensed Door Supervisors employed and clearly visible on Friday and Saturday evenings 20:00 until close (and throughout the week where necessary, eg. for a special event).
- A zero tolerance policy will be adopted for the use of drugs and weapons in the premises. The Door Supervisor will search anyone (on CCTV) if they are suspected of carrying, concealing or using weapons or drugs. A record will be kept of all searches and seized items.
- Bar staff will be trained in drug awareness and the licensing objectives. Records of staff training will be kept and maintained at the premises and will be made available for inspection by Police and Licensing Authority.
- Anyone carrying open or sealed bottles or glasses into the premises will be refused entry.
- No cheap drink promotions or drinking games
- Free drinking water on request
- Capacity will be monitored by the DPS and especially during busier times by the Door Supervisor by use of a clicker and head count. Ejection and rejection logs will be kept.

- Glassware will be collected on a regular basis and breakages or spillages will be dealt with immediately.
- The entrance and exit will be adequately lit to ensure customer safety when entering and exiting.
- An accident book and first aid kit will be maintained on the premises.
- Outside area of the building to be maintained to a high standard
- We will join any night time economy initiative active in Exmouth (eg. licensing meetings)
- Staff will check the premises prior to opening to ensure there are no risks to customers and that all safety precautions are in place.
- Electrical equipment on the premises will be PAT tested and a certificate obtained.
- Customers will be made aware of closing time with a gradual change in music and lighting.
- Signage and staff will encourage customers to leave the premises in a quiet and respectful manner.
- Staff training will include how to deal with and refuse further alcohol to customers who appear intoxicated and will adopt a duty of care of how to treat and deal with those customers (offer of water, assistance with a taxi home) Staff will regularly patrol the premises both indoors and outdoors to supervise the orderly conduct of customers, anyone acting inappropriately or disrespectfully will be asked to leave.
- Challenge 25 will be in operation
- Children allowed on the premises up to 19.00 if accompanied by an adult. Clear signage will display this.

Last Date for receipt of representations by the Licensing Authority <u>28th November 2019</u> Members agreed to defer making any comments until the next meeting so more information could be obtained relating to the opening hours of the current licensed premises in and around the Strand.

# P19/171. ITEMS FOR INFORMATION

(i) APPEAL DECISION Appeal Ref: APP/TPO/U1105/7001 Appeal By: Mrs Pamela Caporn Application Ref: 18/1335/TRE Location: 8 Hereford Close, EX8 5QT Proposal: Fell one Whitebeam

The above appeal was dismissed, a copy was attached for information.

# (ii) COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE

The Draft Charging Schedule, representations, and relevant evidence were submitted to the Planning Inspectorate for examination on 29 October. Further information could be seen here <u>https://eastdevon.gov.uk/planning/planning-policy/community-infrastructure-levy-and-infrastructure-provision/cil/cil-charging-schedule-revision/#article-content</u>

# P19/172. EAST DEVON DISTRICT COUNCIL – PLANNING DECISIONS

APPLICATION	EXMOUTH TOWN COUNCIL VIEW	EDDC DECISION
19/1953/LBC	No objection	Conditional
26 Bicton Street	-	Approval
<u>19/2030/FUL</u>	Objection	Conditional
35 Hillcrest Gardens	-	Approval
19/1667/FUL	No objection	Conditional
226 Exeter Road	_	Approval
19/1952/FUL	No objection	Approval
26 Bicton Street	-	
<u>19/1782/FUL</u>	Split Decision	Approval
160 Exeter Road	-	
19/1825/FUL	No objection	Conditional
Tower Street Methodist Church	_	Approval
19/1851/FUL	No objection	Approval
Tesco Express, Churchill Road		
19/2025/FUL	No objection	Conditional
5 The Copse		Approval
<u>19/2048/FUL</u>	Objection	Conditional
37 Ashleigh Road		Approval
19/1802/FUL	No objection	Approval
27 Exeter Road		
19/1907/FUL	No objection	Approval
Flat 1, 80 St Andrews Road		
<u>19/0534/VAR</u>	Objection	Conditional
1 Sarlsdown Road		Approval
19/1028/FUL	No objection	Conditional
The Grove, Esplanade		Approval
<u>19/1872/FUL</u>	Objection	Approval
7 Woodfield Close		
19/1743/LBC	No objection	Conditional
9 Rolle Road		Approval
19/2187/FUL	No objection	Approval
Annexe, The Coach House		
<u>19/1445/FUL</u>	Objection	Conditional
10 Hulham Vale		Approval
<u>19/1612/FUL</u>	Objection	Approval
1 Park Road		
<u>19/2141/FUL</u>	Objection	Approval
7A Salterton Road		

Cllr L Elson gave an overview of planning decisions made by East Devon District Council in relation to the Exmouth Neighbourhood Plan.

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

The meeting closed at: 18.46.

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