

EXMOUTH TOWN COUNCIL
Minutes of the Meeting of Exmouth Town Council
Planning Committee held in the Council Chamber,
Town Hall, St Andrews Road, Exmouth
on Monday 18 July 2022 at 6:00pm

Present:

J Whibley (Chairman)
T Dumper (Deputy Chairman)
B Bailey
B Toye

Apologies:

Councillors: A Colman, F Cullis, L Elson, F Caygill, D Poor, M Rosser

Public Speaking

There were no members of public wishing to speak.

P22/033. Minutes of the previous meeting

Councillor B Toye proposed, seconded by Councillor T Dumper that the minutes of the previous meeting held on 4 July 2022 were approved.

P22/034. Declarations of pecuniary interests and dispensations:

Councillor Whibley declared a personal interest on account of being Chairman of East Devon District Council's Licensing and Enforcement Committee.

Members declared a personal interest in the street trading application for the Organ Donor Transplant Awareness Day as the applicant was a town Councillor. Councillor Whibley declared a pecuniary interest as he was playing at the event.

Application:	22/1439/Ful 56 Foxholes Hill
Councillor	T Dumper
Pecuniary or personal	Personal
Reason	Member of the AONB Partnership

P22/035. Urgent business

None

P22/036. Tree and advertising consent applications

BRIXINGTON

Planning Application No: 22/1203/TRE

Location: 6 Oakwood Rise, EX8 4PU

Applicant: Mr Alan Byrnes

Proposal: T3, Oak: Remove the lowest limb growing on the southwest side.

Reduce crown by up 2 meters to reduce height from 9 meters to leave a finished

height of 7 metres restricting cut diameter to 60mm

Reason for work: good arboricultural management to keep the tree at a size appropriate for the gardens.

Target date: 25.07.22

Comments Statutory Consultees:

Tree Officer's report:

The young Oak (T3) located on the southwestern boundary of 6 Oakwood Rise was one of many located along what is an historic field boundary. Despite being smaller than the neighbouring Turkey Oak in no 7 Oakwood Rise, the tree was visible from neighbouring properties including aspects of Oakwood Rise and Little Meadow and contributes to the amenity of the landscape within the immediate locale.

At the time of the site visit, the tree appeared to be in a good physiological and structural condition. Evidence of significant historic crown reduction work in the past was visible. The applicant proposed to reduce the height of Oak T3 by 2.0m, from an existing height of 9.0m to a proposed 7.0m, to keep the tree 'at a size appropriate for the gardens', using a maximum diameter of cut size of 60mm. The removal of the lowest south-western limb was also applied for. This specimen was already considerably smaller than the neighbouring tree at 7 Oakwood Rise and other nearby trees along the same old field boundaries. Large Oak trees were characteristic of the original development and were important features of the area. The proposed works were considered excessive and would result in the tree losing a significant portion of its canopy due to the nature of the historic pruning work which would be detrimental to its long-term health and amenity. Where a tree had previously been reduced, it was considered appropriate management at some point in the future that repeat works were likely to be necessary. However, the regrowth on T3 was not yet considered to be near the size where pruning is warranted to address potentially weakened growth attachment points, or to reduce a perceived crown dominance over the garden or neighbouring gardens. Removal of the lowest southern aspect limb was also not considered to be arboriculturally appropriate. No safety reasons had been identified to substantiate the work and the canopy did not foul or dominate the applicants, or neighbours gardens. Furthermore, pruning of branch length was always preferred to the removal of an entire limb back to the main stem. This was due to the way in which the tree compartmentalises and the associated increased risk of potential for decay within the main stem itself.

Recommendation

Refusal

View of representations: None

Decision: Proposed: BB

Seconded: BT

Refused in accordance with the Tree Officer's report.

Planning Application No: 22/1142/TRE

Location: 7 Oakwood Rise, EX8 4PU

Applicant: Mr Byrnes

Proposal: T1, Turkey Oak: crown raise up to 5 metres; reduce height by 3 metres from 13 metres to leave a finished height of 10 metres; thin crown by 20 %

restricting cut diameter to 60 mm to leave a balanced shape.

T2, English Oak: reduce height by 2 metres from 10 metres to 8 metres to allow more light into the surrounding gardens whilst adhering to best arboricultural practices.

Target date: 19.07.22

Comments Statutory Consultees:

Tree Officer's Report –

The two trees subject to this application were located in the rear garden of 7 Oakwood Rise. The application had been made by a neighbour.

T1 was a semi-mature Turkey Oak specimen, in good physiological and structural condition which was visible from a number of neighbouring properties surrounding area. The applicant proposes to crown raise the lower branches up to 5.0m in height, reduce tree height by 3.0m (existing 13.0m) and thin the crown by 20% in the interests of allowing more light into neighbouring gardens. The application had been made by the owners neighbour due to concerns over the degree of shading cast by the tree over the neighbours (No 6) property. Verbally, safety concerns over the size of the tree had also been raised. However, no evidence has been provided by the applicant to substantiate their safety concerns. It was also noted that within the TPO application, the section 'Condition of the trees – is it diseased or do you have fears that it may break or fail' had been marked as 'no'. Furthermore, no evidence on site was found to support the proposed reduction on safety grounds. It was acceptable that shading during parts of the day would be an issue in the applicant's garden. However, there was no legal right to light and works to reduce shading are typically not considered a sound arboricultural reason for undertaking works to a protected tree. It was also noted that the applicant's garden is a reasonable size and that for a considerable part of the day, shading by the neighbours tree would not be an issue, nor was it considered excessive at this moment in time. Furthermore, the boundary was an old hedge line in which there are large individual trees which predates the development of Oakwood Rise. Due to the 'treed' character of the area, shading was therefore always likely to be expected. The reduction of a tree due to shading especially where it was not excessive was not considered arboriculturally justified. Thinning was also not an appropriate method of managing a tree to reduce shade. Thinning was only considered acceptable as part of removal of deadwood, crossing or broken branches up to 10%

The only part of the application which was deemed appropriate at this moment in time was the crown lifting of the southern aspect of Turkey Oak T1, to give an approximate 5m clearance from ground level. This would ensure appropriate clearance over the fence line and neighbouring gardens without being detrimental to either the health or amenity of the tree.

T2 was a young English Oak suppressed by T1 to the east, hosting a crown bias to the west. Forming a partially cohesive crown with T1, English Oak T2 was in good physiological and structural condition. The applicant proposes to reduce the height of from 10.0m to 8.0m again to allow more light into neighbouring gardens. Again, no evidence has been provided to substantiate works and the reason to manage the tree was not considered appropriate.

Recommendation

Split Decision

Approval

T1, Turkey Oak - Crown lift to no more than 5m in height from ground level.

Refusal

Turkey Oak T1: Reduce height from 13.0m to 10.0m, Crown thin by 20%

English Oak, T2: Reduce height from 10.0m to 8.0m

View of representations:

Decision: Proposed: BB

Seconded: TD

Split decision in accordance with the Tree Officer's report.

LITTLEHAM

Planning Application No: 22/1147/TRE

Location: Rose Lodge 2 Isca Road, EX8 2EZ

Applicant: Mr Jacob Mummery

Proposal: T1 : Reduce via thinning lowest lateral branches to west and north-east
By removing dominant leaders approx. 1.5-2m in length; climbing inspection in order to assess damaged area where previous limb failure occurred.

T2 : Reduce low hanging branches away from building and aerial in order to attain a clearance of approx. 1.5 metres; own lift small branches to 4 metres

Target date: 19.07.22

Comments Statutory Consultees:

Tree Officer's report –

T1 was a mature Cedar of Lebanon located within the rear gardens of Rose Lodge Residential Home. The tree has a significant focal point and amenity contributor within the immediate locale, but with limited views of the tree further afield.

Physiologically and structurally T1 was in good condition, with a historic reduction in height evident. The lower lateral branches do not appear to have been managed in the same way as the upper canopy, resulting in etiolated and exposed lower branches; these branches may be prone to failure in high winds, consistent with the species growth habit. These proposed works to prune the lower laterals to the north east by 1.5 to 2m in length will help reduce the likelihood of limb failure due to the existing, excessive end weight, without having a detrimental effect on the health or amenity of the tree. These works were considered to be arboriculturally appropriate.

T2 was a large Weeping Ash located within the rear gardens of the residential home, however due to it being smaller in height than the Cedar, the tree was less visible from a distance. The tree had a contorted branch architecture, as was common with Weeping Ash specimens. There were pockets of decay evident within the stems, however the associated wound-wood response suggests good vigour and structural stability. The eastern canopy of this tree was fouling the roof of the adjacent building by a considerable amount. The proposed works aim to reduce the eastern spread of the canopy to gain a 1.5m clearance from the adjacent building and to give clearance over the lawn of 4m. The works were likely to have a minimal detrimental impact on the health or amenity contribution of the tree and no objection was raised.

Recommendation

Approval

View of representations:
Cllr D Poor – No objection

Decision: Proposed: BT Seconded: BB
Approval in accordance with the Tree Officer's report.

TOWN

Planning Application No: 22/1250/ADV

Location: 12 Rolle Street, EX8 1HD
Applicant: Mr & Mrs Robert & Karen Gosling
Proposal: Installation of a replacement non-illuminated fascia sign to front and installation of a banner sign to second floor.

Target date: 01.08.22

Comments Statutory Consultees:

View of representations: None

Decision: Proposed:
It was noted that the site was adjacent to Tower Street Methodist Church a Grade 2 listed building and on the border of the Conservation Area. The Conservation Officer had not been consulted on the application and members felt that a report was needed before the application could be determined. The application was therefore deferred whilst the request for comments from the Conservation Officer was made.

P22/037. Planning applications.

BRIXINGTON

Planning Application No: 22/1423/FUL

Location: 20 Linden Close, EX8 4JW
Applicant: Mr Richard Wallis
Proposal: Porch to front and conversion of garage to habitable use.

Date limit for comments: 20.07.22

Comments Statutory Consultees: None

1 x Rep – Concerned that the occupants of the converted garage to bedroom would be disturbed by noise. The applicant had 3 vehicles but can only accommodate 1 vehicle off road, the extension would reduce the potential to have additional parking.

ENP Policy: EB2

Decision: Proposed: BB
No objection

Seconded: BT

HALSDON

Planning Application No: 22/1375/FUL

Location: 7 Woodlands Drive, EX8 4QP

Applicant: Mr Len Taylor

Proposal: Single storey side and rear extension, removal of existing chimney stack, conversion of roof space to habitable use to include 1 side and 2 rear roof lights, installation of off-road parking to side of dwelling.

Email from EDDC amended proposal description to:

Single storey side extension, removal of chimney stack, conversion of roof space to habitable use to include a front and rear dormer, 2 roof lights, extension to vehicular hardstanding to front, Installation of vehicular hardstanding to side, installation of boundary wall to rear, porch to front with alteration to fenestration.

Date limit for comments: 26.07.22

Comments Statutory Consultees:

Cllr L Elson - Due to the location of the property although others in the area did have dormers, one dormer would create overlooking to the adjacent property. It was not clear if the car port was forward of the building line and with the other alterations, believed this to be contrary to Neighbourhood Plan. REFUSE

View of representations:

1 x Rep – Queried original description

ENP Policy: EB2

Decision: Proposed: BT

Seconded: JW

The amended application description was noted by members. Objection; the proposal was to be out of keeping with the street scene, members were also concerned that the dormer would overlook neighbouring property. The application was therefore considered to be contrary to policy EB2 of the Exmouth Neighbourhood Plan which states development should be mindful of surrounding building styles and ensure a high level of design.

Planning Application No: 22/1405/FUL

Location: 11 Grange Avenue, EX8 3HU

Applicant: Mr David Vernon

Proposal: Demolition of existing garage and construction of a self-contained annexe.

Date limit for comments: 25.07.22

Comments Statutory Consultees:

Cllr L Elson - Plenty of space so no overdevelopment and the property's situation means there was no overlooking. It was clear from the planning statement that the property was for the disabled mother in the first instance then for the son at a later date but I would ask that the normal conditions is included stating that the annexe cannot be sold as a separate building - NO OBJECTION

Cllr F Cullis - would abstain from voting if there in person as he used to own and live at this property. Concern about the effect on the neighbour closest to this proposed build. No comment had been made by neighbour in regard and they may not be in a position to object or indeed know an application had been submitted. The ground for the proposed annexe gets quite wet, and maybe on the edge of the flood plan. Would like to see a comment from SWW and a comment from the environment agency being so close to the flood plan. A condition that this annex must not be sold as a separate dwelling should be included if this application was successful.

View of representations: None

ENP Policy: EB2, EN5, EN6

Decision: Proposed: BT

Seconded: TD

No objection, subject to the annexe not being used or sold separately to the host dwelling.

Planning Application No: 22/1431/FUL

Location: 9 Mudbank Lane, EX8 3EG

Applicant: Mr & Mrs Weham

Proposal: Addition of a 'Cadiz' retractable pergola awning situated on the first floor balcony on the street facing elevation.

Date limit for comments: 21.07.22

Comments Statutory Consultees:

Cllr P Miller – Supports application

Cllr L Elson – No objection, similar to others in adjacent properties.

View of representations:

ENP Policy: EB2

Decision: Proposed: BT

Seconded: JW

No objection

Planning Application No: 22/1438/FUL

Location: 14 Essington Close, EX8 4QY

Applicant: Mr and Mrs Peterson

Proposal: Single-storey rear and side extension.

Date limit for comments: 22.07.22

Comments Statutory Consultees:

Cllr L Elson - Garden area was more than ample to accommodate the rear extension and doesn't affect the street scene in any way. - NO OBJECTION

View of representations: None

ENP Policy: EB2

Decision: Proposed: BT
No objection

Seconded: TD

Planning Application No: 22/1486/FUL

Location: 6 Ash Grove, EX8 3BN

Applicant: Jo Leonard

Proposal: Proposed roof alterations works including a rear dormer and single storey rear and front porch extensions.

Date limit for comments: 01.08.22

Comments Statutory Consultees:

Cllr L Elson - Rear extension created no problems as not excessive and not causing any problem to adjoining properties. However, there were no other similar porch extensions or similar changes to gable end currently in the close so this would differ from the current street view and contra to the Neighbourhood Plan – REFUSE

View of representations: None

ENP Policy: EB2

Decision: Proposed: BT

Seconded: TD

Objection; the street scene of Ash Grove was characterised by bungalows all of a similar style with uniform hip roof design. The application sought to alter the roof design from hip to gable and introduce a porch to the front elevation to the semi-detached bungalow. Members felt that the alterations to the roof design would be detrimental to the street scene's uniform character and would look incongruous to the pair of semi-detached bungalows which it formed part of. Also, the introduction of a front porch was not in keeping with the pattern and style of the street scene. The application was therefore considered to be contrary to Policy EB2 of the Exmouth Neighbourhood Plan which states that development needed to be development should be mindful of surrounding building styles and ensure a high level of design.

LITTLEHAM

Planning Application No: 21/3275/FUL

Location: 5 Fairfield Road, EX8 2BL

Applicant: Mr & Mrs Jenny & Richard Wiggins

Proposal: First floor extension to an existing dwelling as well as altering the external appearance to form a modern dwelling and a new detached single storey garage of matching materials, and conversion of existing garage and a rear extension with alteration to fenestration.

Amended plans for consultation.

Amended plans received 28.06.22 (change of roof design and change of exterior materials)

Date limit for comments: 20.07.22

Comments Statutory Consultees:

Town Council – 18.01.22 – No objection

Conservation – 17.05.22 - This bungalow was assessed in relation to the setting of the listed building and the setting of the conservation area, as it was on its border.

The loss of a defined front elevation (and its style of roof) would have a negative impact on the setting of these designated heritage assets. Suggested mitigation - to remove the balcony, to strengthen the main entrance on the principal elevation. Simplify the cladding materials and improve on the quality of the materials for the windows and doors. The roof and its fascia, rainwater goods, need to become more of a feature again. Consideration should also be given to the proposed design and bird nesting prevention too.

No comments received to date regarding amended plans submitted.

Cllr D Poor – No objection subject to Conservation Officer's comments.

Cllr M Rosser – No objection

View of representations:

2 letters of support

ENP Policy: EB2

Decision: Proposed: BB

Seconded: TD

Objection to the amended plans. Concerns had been raised by the Conservation Officer regarding the original application and members felt they could not support the application until the Conservation Officer had commented on the amended plans.

Planning Application No: 22/1291/FUL

Location: 3 Mayfield Drive, EX8 2HD

Applicant: Mrs Dawn Ratcliffe

Proposal: Enclose the existing entrance porch to the front North elevation of the House

Date limit for comments: 21.07.22

Comments Statutory Consultees:

Cllr D Poor – No objection

Cllr M Rosser – No objection

View of representations: None

ENP Policy: EB2

Decision: Proposed: BB
No objection

Seconded: BT

Planning Application No: 22/1439/FUL

Location: 56 Foxholes Hill, EX8 2DH

Applicant: Mr & Mrs N Yorke

Proposal: Conversion of roof space to habitable use to include a three front dormer and two rear dormer with alteration to fenestration, Removal of conservatory and conversion of roof from hip to gable and construction of external store.

Date limit for comments: 26.07.22

Comments Statutory Consultees:

Cllr D Poor – Concerned about this as it affects the street scene for that area, all other houses nearby are bungalows do not have front dormers. So, I would object on the grounds that this fails on our EB2 policy. I would have no objection if the conversion was limited to only the back.

Cllr M Rosser - Although unable to see how the neighbour's patio would be overlooked by a proposed dormer window, objects for the other reasons stated by the two objectors. Over development, visually not compatible with the street scene.

View of representations:

2 x Rep – Objection, the proposed 5 dormers would be disproportionate, out of scale and keeping, cluttered, unbalanced and at odds with the form of neighbouring bungalows located in the AONB and alongside the Jurassic Coast footpath. The proposed dormers would be visible from the public domain. Concerned also over the loss of privacy to neighbouring garden and that the property will be used as a holiday let.

ENP Policy: EB2, EN1 (In AONB)

Decision: Proposed: BB

Seconded: BT

Objection; the proposed 5 dormers were considered to visually intrusive to the AONB and Jurassic Coast footpath. Members felt that the proposed front dormer was also out of keeping with the pattern and style of development of the neighbouring properties. The application was therefore considered to be contrary to Policy EB2 of the Exmouth Neighbourhood Plan which states that development needed to be development should be mindful of surrounding building styles and ensure a high level of design.

Planning Application No: 22/1464/FUL

Location: 1 The Red Lodge, 11 Elwyn Road, EX8 2EL

Applicant: Mr & Mrs Evans

Proposal: Single storey extension

Date limit for comments: 26.07.22

Comments Statutory Consultees:

Cllr D Poor – No objection

Cllr M Rosser - No objection – providing the drawings of the proposed development are accurate.

View of representations: None

ENP Policy: EB2

Decision: Proposed: BB
No objection

Seconded: JW

TOWN

Planning Application No: 22/1169/FUL

Location: 18 Victoria Road, EX8 1DL

Applicant: Mrs Sasha Turner

Proposal: Installation of first floor side facing access door and construction of external staircase.

Amended plans for consultation.

Amended plans showing revised design which omits terrace and includes 1st floor side facing door.

Date limit for comments: 26.07.22

Comments Statutory Consultees:

Town Council – Meeting 20.06.22 Objection: it was noted that a previous application for a similar terrace had been withdrawn due to concerns regarding excessive overlooking of neighbouring private amenity space and disturbance of nearby residences. It was felt that this revised proposal did not mitigate the previous concerns raised.

View of representations:

1 x Rep in respect of the original application.

ENP Policy: EB2

Decision: Proposed: TD

Seconded: JW

No objection to the amended plans, it was felt that the amendments mitigated the concerns previously raised.

WITHYCOMBE RALEIGH

Planning Application No: 21/1085/VAR

Location: Raleigh Manor Care Home 13 Drakes Avenue, EX8 4AB
Applicant: Mr Andrew Williams
Proposal: Variation of condition on application: 18/2203/MFUL (Conditions C2 & C10)

Amended plans for consultation.
Technical note Exmouth drainage

Date limit for comments: 19.07.22

Comments Statutory Consultees:

Town Council 01.03.22 – Objection; EDDC Trees and the EDDC Landscape Architect needed to be resolved to ensure that the application complied with Policy EN5 of the Exmouth Neighbourhood Plan which states that the impact from any additional surface water resulting from development should be controlled and satisfactorily mitigated and should not cause an adverse impact to neighbouring properties.

DCC Flood Risk – Concerned that the changes in the landscaping would impact on the drainage.

No updated comments received yet on the amended plans submitted.

EDDC Trees – Also concerned about ground level changes.

No updated comments received yet on the amended plans submitted.

View of representations:

5 x Rep – in respect of the original application raising concerns over flooding.

ENP Policy: EN5

Decision: Proposed: BB

Seconded: JW

Objection sustained; EDDC Trees, EDDC Landscape and DCC Flood Risk had raised concerns and members felt they could not support the application until they had commented on the additional information submitted.

P22/038. Other items

(i) Notification of a street trading application received – Organ Donor & Transplant Awareness Day

The applicant is: Steven Gazzard

Location: The Strand, Exmouth, EX8 1AF

Dates: Saturday 23rd July

Times: 10:00 - 16:00

The application is for: Maximum of 46 traders for the Organ Donor and Transplant Awareness Day.

Date limit for comments: 20.07.22

Member did not wish to comment.

P22/039. Items for information

(i) Appeal Notification

Appeal by: Mr R Pearcey

Appeal Ref: APP/U1105/W/22/3298012

Proposal: Proposed change of use from store to dwelling

Location: The Store, Little Bicton Place, EX8 2SS

Planning Application No: 21/3187/FUL

An appeal had been made to the Secretary of State against the decision of EDDC to refuse to grant planning permission for the above proposed development. Copy letter was circulated for information.

(ii) Notification of Submission Consultation Broadclyst Neighbourhood Plan

The Broadclyst Neighbourhood Plan had been submitted to East Devon District Council, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

Comments on the plan were now invited.

Date limit for comments: 08.09.22

P22/040. East Devon District Council – Planning Decisions

<i>Application</i>	<i>Exmouth Town Council View</i>	<i>EDDC Decision</i>
22/1146/FUL 7A Seafeld Avenue	No objection	Conditional Approval
22/1266/FUL 4 Kipling Close	No objection	Conditional Approval
22/1012/FUL 16 Raddenstile Lane	No objection	Withdrawn
22/0589/FUL 113 St Johns Road	No objection	Conditional Approval
22/1187/FUL 5 Cranford Close	No objection	Approval
22/1153/FUL 7 Belvedere Road	No objection	Conditional Approval

The meeting concluded at 19:19

Signed..... Date.....
(Chairman)