Exmouth Town Council

Town Hall, St Andrews Road
Exmouth, Devon, EX8 1AW

tel: 01395 276167
email: reception@exmouth.gov.uk
www.exmouth.gov.uk

This meeting is open to the Public and Press

30 December 2024

To: Members of the Exmouth Town Council Planning Committee, other members of Exmouth Town Council for information & The Press

Dear Councillors

A Meeting of the Exmouth Town Council Planning Committee, to which you are summoned, will be held in the Chamber at Exmouth Town Hall, St Andrews Road, EX8 1AW on **Monday 6 January 2025 at 6.15pm** to consider the matters detailed on the agenda below.

Yours faithfully

Lisa Bowman
TOWN CLERK

AGENDA

1. Apologies for absence

PUBLIC SPEAKING

- Representations will be taken ahead of each discussion by Councillors on each application.
- **Members of the public wishing to speak on an application are required to pre-register in advance of the meeting.**
  To register you must email reception@exmouth.gov.uk or telephone 01395 276167 by 12 noon.
  The number of people that can speak on each application is limited to:
  - Major applications – parish/town council representative, 5 supporters, 5 objectors and the applicant or agent
  - Minor/Other applications – parish/town council representative, 2 supporters, 2 objectors and the applicant or agent.
- Representations may be up to 3 minutes.
- Speakers must begin, within their representation, by stating their name and interest in the application, and whether they are supporting or objecting to the application.
- Speakers must endeavour to avoid repeating themselves or earlier comments by others.
- The Chairman, at their absolute discretion, may ask for members of the public wishing to make similar points to choose one speaker to represent them all. This is to enable the

business of the meeting to be carried out in a timely way and allow representations on other applications to be heard.

---

2. **Minutes of meeting held on 16 December 2024:**
   To confirm the minutes (copies attached)

3. **To receive any declarations of interest from members:**
   Members to declare any interests they may have on the agenda and agree any dispensations to stay.

4. **Urgent Business:**
   To consider any items which, in the opinion of the Chairman should be dealt with as a matter of urgency.

5. **Tree and advertising consent applications**

LITTLEHAM

Planning Application No: 24/2440/TRE

Location: Exmouth Hospital, Claremont Grove, EX8 2JW
Applicant: Exmouth Hospital
Proposal: T003, Holm oak: reduce southern stem/primary limb by approximately 2-3m or to suitable growth points.

Target date: 15.01.25

---

6. **Planning applications.**

BRIXINGTON

None

HALSDON

Planning Application No: 24/1766/VAR

Location: 21 Hulham Road, EX8 3JZ
Applicant: Mr Andrew Taylor
Proposal: Variation of condition 2 (approved drawings) of planning permission 21/0587/FUL (Construction of replacement dwelling and garage) including increase in floor levels and height of the dwelling, alterations to roof form, amendments to fenestration, alterations to garage, new boundary wall, bank and planting, and installation of solar panels

Amended plans for consultation.
Amended site, section and landscaping plans to show a Devon Bank to the Hulham Road boundary and a section of reconstructed stone wall at the site entrance, contributor rebuttal and updated Planning Statement to reflect the changes to the

scheme, schedule of Materials, Ecology Assessment, Tree Survey and Tree Constraints Plan submitted with the consented application. Plans dated 10/12/2024

Date limit for comments: 09.01.25

Planning Application No: 24/2315/FUL

Location: 195 Pound Lane, EX8 3LE
Applicant: Mr & Mrs Quilter
Proposal: Creation of first floor balcony, replacement single storey extension and the addition of external timber cladding.

Date limit for comments: 16.01.25

Planning Application No: 24/2505/FUL

Location: 29 Willow Avenue, EX8 4QS
Applicant: Mr Steve Grant
Proposal: Proposed loft conversion and rear extension

Date limit for comments: 09.01.25

Planning Application No: 24/2510/PDMA

Location: Land At Exmouth Community College, Withycombe Village Road, EX8 3AF
Applicant: Mr Simon Bunn (Black Crab)
Proposal: Conversion of the existing schoolhouse to form 2 new dwellinghouses; external works to form garden areas and access

Date limit for comments: 13.01.25

Planning Application No: 23/1480/MFUL

Location: Warren View Sports Ground Halsdon Avenue, EX8 3DH
Applicant: Mr Brendan Lee
Proposal: Construction of new boxing gym and community sport building with associated parking and landscaping

Amended plans for consultation.
Amended site plan to include roof plan and show requirement for retaining wall to the rear of the building.

The architect has clarified the following:
In order to accommodate the proposed floor level and sloping topography a low retaining wall is to be constructed on-site

Date limit for comments: 14.01.25

LITTLEHAM

Planning Application No: 24/2308/LBC

Location: 3 Castle Cottages Castle Lane, EX8 5BR
Applicant: Mr Paul Hewett
Proposal: To replace 2no. windows at ground floor front elevation and 1no. window On rear ground floor elevation

Date limit for comments: 09.01.25

Planning Application No: 24/2525/FUL

Location: Merrist House 14 Douglas Avenue, EX8 2EY
Applicant: Mr Geoff Crawford
Proposal: Demolition of garage to be replaced with single storey side extension and cantilever path

Date limit for comments: 14.01.25

Planning Application No: 24/2578/FUL

Location: 22 Littleham Road, EX8 2QQ
Applicant: Mr Stephen Drinkall
Proposal: Proposed extension to front elevation and internal alterations

Date limit for comments: 20.01.25

Planning Application No: 24/2581/FUL

Location: 6 Trefusis Place, EX8 2AR
Applicant: Mr J and F Relph
Proposal: Proposed side extension

Date limit for comments: 17.01.25

TOWN

Planning Application No: 24/2557/FUL

Location: 31 Camperdown Terrace, EX8 1EQ
Applicant: Mr Harris
Proposal: Demolition of rear tenement to be replaced with two storey rear extension, replacement front and rear dormers and increase height of front bay window on North East elevation.

Date limit for comments: 17.01.25

WITHYCOMBE RALEIGH

Planning Application No: 24/1250/FUL

Location: Land Adjacent 24 Dukes Crescent
Applicant: Highland Property Development (Exmouth) Ltd

Proposal: Proposed 4 dwellings with associated off-road parking spaces and rear amenity gardens

Amended Plans
Amendments remove a dwelling from the proposals (from 5 to 4 dwellings)

Date limit for comments: 09.01.25

---

7. Other items

i. Notification of a street trading renewal application received – Sam's Coffee Tricycle

The applicant is: Sam Birkinshaw - Sam's Coffee Tricycle
Location: The sheltered area in front of the Stagecoach office, to the left of the train station stairwell Imperial Road, Exmouth, EX8 1BZ.
Dates: RENEWAL - Annual Consent - Trading daily
Times: 07:00 - 16:00

The application is for: 1 x bespoke tricycle selling hot drinks ranging from espressos to hot chocolates of varying flavours and baked goods, including chocolate brownies.

The applicant has noted the following on their application: My espresso machine is powered by a small, LPG bottle that is a clean burning fuel. I don't use any electricity. I use commercially compostable packaging from a nationally reputable supplier. I source my coffee beans and brownies from local, artisanal suppliers, and my milk from Marks & Spencers next door due to ease of access and ability to purchase in small quantities to benefit freshness. Organic waste including coffee grounds - Local resident accepts on behalf of allotment users.

Date limit for comments: 08.01.25

ii. Notification of new time limited premises licence application received

Ref No: 059109
Premises: Manor Gardens, Exmouth, Devon, EX8 1NZ
Ward: Exmouth Town
Name of Applicant: Exmouth Pride
TIME LIMITED
Premises Licence Application for 21/06/2025 ONLY - Exmouth Pride Event
Premises Licence Application to include
Premises Open Hours requested
Saturday 07:00 to 21:00
Activities - Times requested
E. Performance of live music (Outdoors)
Saturday 11:00 to 18:00
F. Playing of recorded music (Outdoors)
Saturday 11:00 to 18:00
G. Performance of dance (Outdoors)
Saturday 11:00 to 18:00

J. Supply of alcohol for consumption ON the premises only
Saturday 11:00 to 18:00
Consider variation to the above premises licence, details of the application can be viewed on EDDC's website.

Date limit for comments: 08.01.25

Representations must relate to one or more of the four licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.

---

8. Items for information

i. New Tree Preservation Order 24/0025/TPO

Land South of Withycombe Brook and Hillcrest Community Nature Reserve, North of 20-30 Dukes Crescent.

Confirmation of the above TPO, details attached.

---

9. East Devon District Council – Planning Decisions

Application	*Exmouth Town Council View*	*EDDC Decision*
24/2098/LBC 10 Bicton Place	No objection	Conditional Approval
24/1668/FUL 21A Rolle Street	No objection	Conditional Approval
24/1988/FUL 13 Park Way	No objection	Conditional Approval
24/1979/FUL Flat A, 32 Victoria Road	No objection	Approval
24/1092/FUL Maer Brook, Maer Road	No objection	Conditional Approval
24/2121/FUL 70 Foxholes Hill	No objection	Conditional Approval

TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (England) REGULATIONS 2012

Town and Country Planning Act 1990
TREE PRESERVATION ORDER (NO. 24/0025/TPO)

East Devon District Council, in exercise of the powers conferred on them by sections 198 of the Town and Country Planning Act 1990 make the following Order—

Citation
1. This Order may be cited as the Tree Preservation Order No. 24/0025/TPO, "Land South of Withycombe Brook and Hillcrest Community Nature Reserve, North of 20 - 30 Duke's Crescent", 10th July 2024.

Interpretation
2.— (1) In this Order "the authority" means East Devon District Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect
3.— (1) **Subject to article 4,** this Order shall take effect provisionally on 10th July 2024.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or

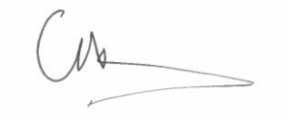
(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition
4. In relation to any tree identified in the first column of the Schedule by the letter "**C**", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated 10 July 2024

Signed on behalf of East Devon District Council



.....
Authorised by the Council to sign in that behalf

[CONFIRMATION OF ORDER

This Order was confirmed by East Devon District Council without modification on …… day of

…… ……

~~*OR*~~

~~This Order was confirmed by East Devon District Council on ..... day of .... subject to the following modification(s):~~



.....

Authorised by the Council to sign in that behalf**]**

~~**[DECISION NOT TO CONFIRM ORDER**~~

~~A decision not to confirm this Order was taken by East Devon District Council on ..... day of~~

~~..... .....~~

~~.....~~

~~Authorised by the Council to sign in that behalf~~**]**

~~**[VARIATION OF ORDER**~~

~~This Order was varied by East Devon District Council on ..... day of ....~~

~~under the reference number .....~~

~~.....~~

~~Authorised by the Council to sign in that behalf~~**]**

~~**[REVOCATION OF ORDER**~~

~~This Order was revoked by East Devon District Council on ..... day of ....~~

~~.....~~

~~Authorised by the Council to sign in that behalf~~**]**

SCHEDULE

SPECIFICATION OF TREES

TREE PRESERVATION ORDER NO. 24/0025/TPO

LAND SOUTH OF WITHYCOMBE BROOK AND HILLCREST COMMUNITY NATURE RESERVE, NORTH OF 20 - 30 DUKE'S CRESCENT

REF. ON MAP	DESCRIPTION	SITUATION

TREES SPECIFIED INDIVIDUALLY
(None)

TREES SPECIFIED BY REFERENCE TO AN AREA
(None)

GROUP OF TREES
(None)

WOODLAND
(Shown within a continuous black line on map)

W1	Except Rhododendron and Laurel	Centred on grid ref:	302079 (E)	082225 (N)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to England only, substantially revoke and replace the Town and Country Planning (Trees) Regulations 1999, to the extent to which they apply to England. They also revoke the Town and Country Planning (Trees) (Amendment) (England) Regulations 2008 and the Town and Country Planning (Trees) (Amendment No. 2) (England) Regulations 2008.

Part 2 prescribes the form of tree preservation orders and the procedure for their making, provisional effect, confirmation, variation and revocation. The prescribed form is set out in the Schedule to the Regulations.

Part 3 of the Regulations sets out prohibited activities in relation to a tree protected by an order and exceptions. Under regulation 13 a tree protected by a tree preservation order may not be cut down, topped, lopped, uprooted or wilfully damaged or destroyed without the consent of the local planning authority, unless an exception applies. These exceptions are set out in sections 198(7) and 200(1) of the Town and Country Planning Act 1990, and in regulation 14 of the Regulations.

Section 198(7) provides exceptions relevant to section 39(2) of the Housing and Planning Act 1986 (c.63) (saving for effect of section 2(4) of the Opencast Coal Act 1958 (c. 69) on land affected by a tree preservation order despite its repeal) and section 15 of the Forestry Act 1967 (c.10) (licences under that Act to fell trees comprised in a tree preservation order).

Section 200(1) provides that a tree preservation order does not have effect in respect of anything done by or on behalf of Forestry Commissioners on land placed at their disposal in pursuance of the Forestry Act 1967 or otherwise under their management or supervision or anything done by or on behalf of any other person under a plan of works approved by the Forestry Commissioners under a forestry dedication covenant (as defined in section 5 of the Forestry Act 1967) or under conditions of a grant or loan made under section 1 of the Forestry Act 1979 (c. 21).

Regulation 14 contains exceptions to the requirement for consent and regulation 15 contains exceptions for trees in conservation areas.

Part 4 of the Regulations prescribes the procedure for applications for consent under tree preservation orders.

Part 5 prescribes the procedure for appeals and for their determination. Regulation 19 grants a right of appeal in respect of a refusal to grant consent, a grant of consent subject to conditions or a failure to determine an application for consent within the prescribed time period.

In Part 6, regulation 24 provides for compensation claims, subject to exceptions, to be made where loss or damage has been incurred as a consequence of a refusal to grant consent, a grant of consent subject to conditions or a refusal of approval required under a condition.

Part 7 contains miscellaneous provisions. Regulation 25 provides that the prescribed time for the purposes of sections 206(1)(b) (replacement trees) and 213(1)(b) (enforcement of controls as respects trees in conservation areas) is whenever the cutting down or uprooting of a tree is authorised only by virtue of regulations 14(1)(a)(i) or 14(1)(c) (dead or dangerous trees).

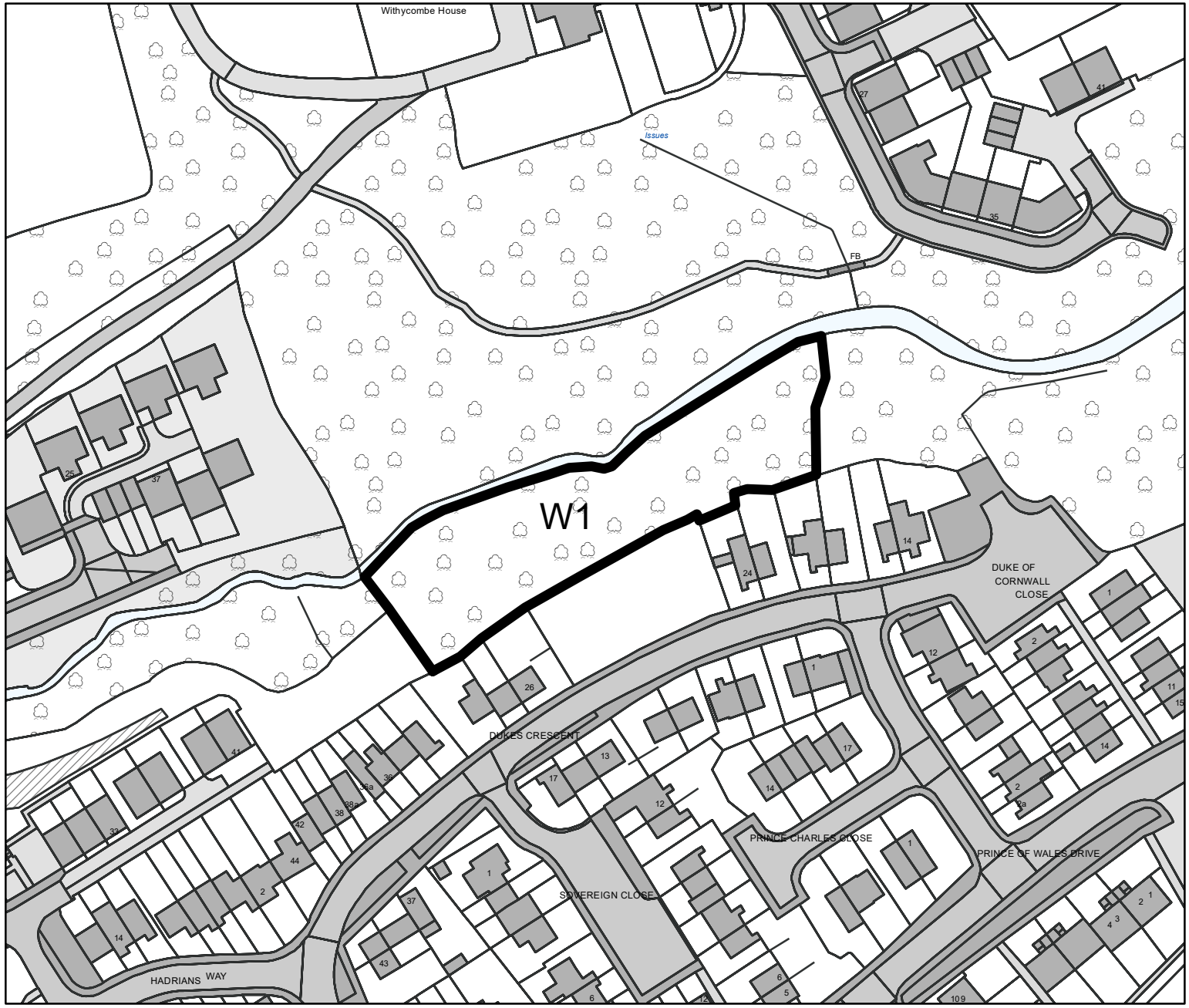
Regulation 26 revokes the Town and Country Planning (Trees) Regulations 1999, the Town and Country Planning (Trees) (Amendment) (England) Regulations 2008 and the Town and Country Planning (Trees) (Amendment No.2) (England) Regulations 2008, subject to transitional, transitory and saving provisions in respect of certain classes of order. This regulation also saves regulation 17 of the Town and Country Planning (Trees) Regulations 1999 (amendment to the Town and Country Planning General Regulations 1992).

Under section 193 of the Planning Act 2008 (c. 29), all tree preservation orders made prior to the date on which these Regulations come into force take effect with the omission of all of their provisions other than any that identify the order or identify the trees, groups of trees or woodlands to which the order applies.

A full impact assessment of the effect that this instrument will have on the costs of business, charities and the voluntary sector has been prepared in relation to these Regulations. The assessment has been placed in the Library of each House of Parliament and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk). The assessment may also be accessed at www.communities.gsi.gov.uk.

East Devon District Council Tree Preservation Order 24/0025/TPO

Land South of Withycombe Brook and Hillcrest Community Nature Reserve, North of 20 - 30 Dukes Crescent



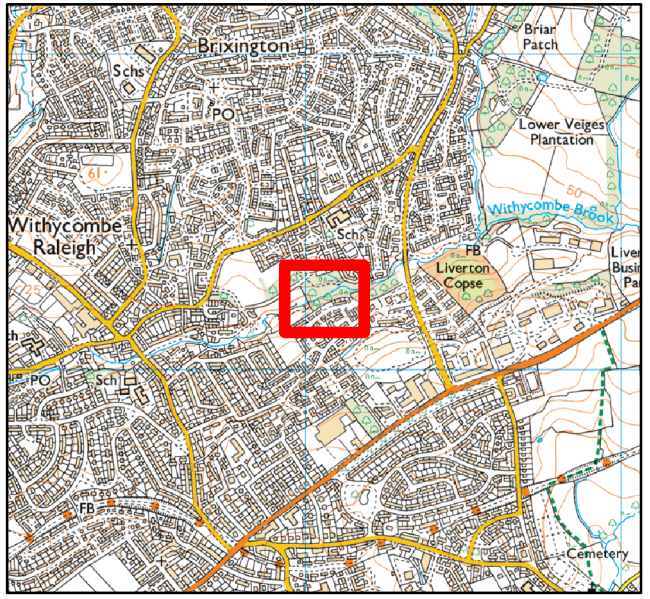
East Devon District Council

Key

- Tree
- Area
- Group
- Wood

Authorised Signature

19 December 2024



1:1,250

0 12.5 25 50 Metres

© Crown copyright and database rights 2024 Ordnance Survey AC0000809498