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

9 July 2025

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 14 July 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.

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2. **Minutes of meeting held on 23 June 2025:**
   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: 25/1183/TRE

Location: The Homestead 6 Elwyn Road, EX8 2EL
Applicant: Karen McNair
Proposal: T0087, Horse chestnut: remove deadwood greater the 25mm in diameter.
T0090, Lime: Prune the lower crown away from the over head BT cables.
T0091, Lime: Prune the lower crown away from the over head BT cables.
T0092, Beech: Crown reduce tree in height and crown spread by approximately 3m. Remove deadwood greater then 25mm.

Target date: 29.07.25

Tree Officer's report attached for information.

Planning Application No: 25/1362/TCA

Location: 19 Cyprus Gardens, EX8 2DP
Applicant: Helen Fenner
Proposal: Blue Atlas Cedar: crown reduction of 0.5/1.0 m in some places and crown lift.

Target date: 13.08.25

Tree Officer's report attached for information.

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6. **Planning applications.**

BRIXINGTON

Planning Application No: 25/1356/FUL

Location: 6 Oxford Close, EX8 5QP

Applicant: Alex Richardson
Proposal: Proposed single storey side extension

Date limit for comments: 18.07.25

HALSDON

Planning Application No: 25/1264/FUL

Location: 245 Exeter Road, EX8 3NG
Applicant: Mrs Belinda Whatmore
Proposal: Installation of a new metal spital staircase to provide improved access between the existing terrace and the garden area.

Date limit for comments: 17.07.25

Planning Application No: 25/1282/FUL

Location: 11 Seafield Avenue, EX8 3NJ
Applicant: Mr Ron Clemow
Proposal: Single storey extension with roof terrace and ground floor raised terrace on the south elevation, attached garage on the north elevation and cladding to building.

Date limit for comments: 17.07.25

LITTLEHAM

Planning Application No: 25/1386/FUL

Location: Tawny Bank, Maer Lane, EX8 2DE
Applicant: Mrs Alison Jobson
Proposal: Proposed first floor extension on the North elevation.

Date limit for comments: 24.07.25

Planning Application No: 25/1364/FUL

Location: 49 Cranford Avenue, EX8 2QF
Applicant: Mrs C Anderson
Proposal: Erection of single storey building to be used as self-contained accommodation ancillary to the main house.

Date limit for comments: 28.07.25

TOWN

Planning Application No: 25/1207/FUL

Location: 69 Bicton Street, EX8 2RU
Applicant: Mr Ronald Allen

Proposal: Installation of 2no. Velux windows with balcony push out and to replace roof slates to match neighbours' new roof with Brazilian graphite slate.

Date limit for comments: 11.07.25

Ratify Ward Decision – No objection subject to Conservation Officer's report.

Planning Application No: 25/1149/FUL

Location: Police Station, North Street, EX8 1JZ
Applicant: Mr Andy Burfitt (Devon and Cornwall Police)
Proposal: Demolition of the existing police station, magistrates court and custody block and construction of replacement two storey police station, bike shed, new vehicular and pedestrian access, car parking and associated external works.

Date limit for comments: 23.07.25

Planning Application No: 25/1324/FUL

Location: 3 Windjammer Court, Shelly Road, EX8 1XL
Applicant: Ms Mary Pratt
Proposal: Proposed window alteration to door

Date limit for comments: 23.07.25

WITHYCOMBE RALEIGH

None

WOODBURY & LYMPSTONE (JOINING PARISH)

Planning Application No: 25/1105/MOUT

Location: Goodmores Farm, Hulham Road, EX8 5BA
Applicant: Aldi Stores
Proposal: Hybrid planning application for development proposals comprising the following:
i) Detailed approval for the construction of new foodstore (Use Class E) together with associated works including parking, access and landscaping
ii) Outline approval with all matters reserved except access for flexible employment development (Use Classes B2 (General Industry), B8 (Storage and Distribution), E(g) (ancillary offices, research and development and light industrial) and Sui Generis (Trade Counter)) plots including public realm works, landscaping, access and associated infrastructure

Date limit for comments: 28.07.25

7. Other items

i. Tree Application 25/1037/TRE, 115 St Johns Road
Consider engaging legal services to assess the risk of a compensation claim in the event that a notice of refusal is issued.

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8. Items for information

i. Appeal Notification
Appeal ref: APP/U1105/Z/25/3368112
Appeal by: Mr Oliver Bridge
Application Ref: 25/0296/ADV
Location: Unit 6 and 7 Sideshore, Queens Drive, EX8 2GD
Proposal: Proposed 2no. illuminated signs

An appeal has been made to the Secretary of State against the Council's decision to refuse to grant advertisement consent for the proposed development. Copy letter attached for information.

ii. Notification of Tree Preservation Order
Land at Hollenden, 7 Foxholes Hill – 24/0007/TPO

Confirmation of the above TPO, details attached.

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9. East Devon District Council – Planning Decisions

Application	*Exmouth Town Council View*	*EDDC Decision*
25/0875/FUL 8 Pankhurst Close	No objection	Conditional Approval
23/1277/FUL Bystock Court, Old Bystock Drive	Objection	Refusal
24/2454/FUL 10 Elwyn Road	No objection	Conditional Approval
25/0960/FUL Maer Reef, Foxholes Hill	No objection	Approval
25/1023/FUL 117 Exeter Road	No objection	Conditional Approval
25/0403/FUL 32 Phillipps Avenue	No objection	Conditional Approval
25/0430/FUL 50 Maple Drive	No objection	Conditional Approval
25/0775/FUL 6 Withycombe House Hillcrest Gardens	No objection	Refusal

25/0837/FUL Land at the Former Rolle College, Fairfield Road	No objection	Conditional Approval
25/1049/FUL 72 Halsdon Avenue	No objection	Conditional Approval
25/1103/FUL 1 Clode Cottages, Marley Road	No objection	Conditional Approval

DELEGATED REPORT

Application No: **25/1183/TRE**

Location: **The Homestead 6 Elwyn Road**
Exmouth
EX8 2EL

Proposal: **T0087, Horse chestnut: remove deadwood greater the 25mm in diameter.**
T0090, Lime: Prune the lower crown away from the over head BT cables.
T0091, Lime: Prune the lower crown away from the over head BT cables.
T0092, Beech: Crown reduce tree in height and crown spread by approximately 3m. Remove deadwood greater then 25mm.

Development Type: **TPO**

Date of Site Visit: **23.06.2025**

Consultation Period End Date: 04.07.2025

CONSULTATIONS

None received.

CONTRIBUTORS

None received.

OFFICER REPORT

The trees grow within the garden to the front of 6 Elwyn Road and form part of the character and setting of the local area, which is characterised by large, detached properties with verdant, well-treed gardens. This property is particularly well-treed and is dominated by the large central Horse Chestnut (T0087) and the Lime trees (T0090 and T0091) growing along the south-eastern boundary. These trees make a significant contribution to the amenity and character of the local area. The Beech (T0092) is secondary to the above trees but still adds to the general character of the area.

The proposed removal of the larger pieces of deadwood from the Horse Chestnut (T87) and to prune the two Lime trees (T90 and T91) back from the overhead telephone and broadband cables, is considered appropriate management. However, the extent of pruning with respect of the Lime tree is not clearly defined in the application and should therefore be limited by condition.

The Beech (T92) is located furthest from the public highway and thus has a lower level of public amenity. The tree has previously undergone a poorly executed thinning operation, resulting in the removal of the inner crown in a process known as "lion’s tailing." Most of the crown now consists of distal foliage at the ends of the branches, leaving the tree with a thin, open crown. In addition to this unsympathetic past management, the tree appears to be stressed, with dieback of branch tips at the periphery of the crown. There is a zone of necrotic bark near the top of the main stem, above which sits a dead branch, and below which is an old snapped-out branch socket.

DELEGATED REPORT

The proposed 3m crown reduction would remove much of the tree's live crown, causing significant physiological stress and likely accelerating the tree's decline. This element of the application should therefore be refused. However, the removal of deadwood raises no objection, nor does a lighter, more sympathetic crown reduction focused on the upper canopy, specifically targeting branches closest to the observed defect on the upper main stem and the pruning back from the overhead telephone and broadband cables.

CONCLUSION

A split decision should be issued as outlined above.

RECOMMENDATION

THIS IS A SPLIT DECISION (a part of the application has been refused and a part approved).

The Council hereby **grants** permission to carry out work described below subject to the following conditions:

T0087, Horse Chestnut: Remove deadwood greater than 25mm in diameter.
T0090, Lime: Prune the lower crown to provide clearance from the overhead BT cables. Subject to the listed conditions.
T0091, Lime: Prune the lower crown to provide clearance from the overhead BT cables. Subject to the listed conditions.
T0092, Beech: Crown reduction of up to 2 metres on upper branches emanating from the upper main stem, close to the identified area of dysfunction.
Remove deadwood greater than 25mm in diameter.
Prune the lower crown to provide up to 2 metres clearance from the overhead BT cables.

1. The works, hereby consented to, shall be carried out within a period of 2 years from the date of this decision notice.
(Reason - To ensure that the works are carried out within a reasonable period of time.)

2. The works hereby consented to shall be carried out in accordance with British Standard 3998: 2010 (Tree Work - Recommendations).
(Reason - In the interests of amenity and to ensure the works are carried out in a satisfactory manner.)

3. Pruning works shall be carried out in accordance with the following restrictions:

T0090 and T0091, Lime trees: Pruning works to clear the overhead telephone and broadband lines shall provide a separation of no more than 2 metres between the tree crown and the cables.
(Reason: In the interests of amenity and to ensure the works are carried out in a satisfactory manner.)

The Council hereby **refuses** permission to carry out work described below for the following reasons:

T0092, Beech: Crown reduce tree in height and crown spread by approximately 3m.

DELEGATED REPORT

1. The tree contributes to the overall verdant character of the local area. The proposed works are likely to cause considerable physiological stress, potentially accelerating the tree's decline. Lesser, more appropriate works have already been approved to allow for the reasonable management of the tree.

NOTE FOR APPLICANT

1. **Wildlife** - Bats and birds are protected under the Wildlife & Countryside Act 1981 and the Countryside and Rights of Way Act 2001, it is an offence to deliberately or recklessly disturb them or damage their roosts or habitat. Therefore, close inspection of the tree(s) should be undertaken prior to the commencement of works to determine if any bats or birds reside in the tree(s). No works should occur while birds are nesting which may be at any time between the month of March to September inclusive; if bats are present works should cease until the applicant has obtained further advice from Natural England on 0845 601 4523 or email wildlife@naturalengland.org.uk. Further advice on bats is available from The Bat Conservation Trust (0845 1300 228).

DELEGATED REPORT



DELEGATED REPORT





DELEGATED REPORT



Statement on Human Rights and Equality Issues

Human Rights Act:
The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving

at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:
In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

DELEGATED REPORT

Application No: **25/1362/TCA**

Location: **19 Cyprus Gardens Exmouth**
EX8 2DP

Proposal: **Blue Atlas Cedar: crown reduction of 0.5/1.0 m in some places and crown lift.**

Development Type: **Tree in Conservation Area**

Date of Site Visit:

Consultation Period End Date: **01.08.2025**

CONSULTATIONS

None received.

CONTRIBUTORS

Other Representations

None.

OFFICER REPORT

There is no objection to the tree works being undertaken, as described in the proposal, as the character and amenity of the conservation area will not be adversely affected.



Photograph 1 – Red line indicates extent of proposed crown reduction.

DELEGATED REPORT

CONCLUSION

There is no expediency to make a tree preservation order, and the works can commence.

RECOMMENDATION

NO OBJECTION:

1. Allow the works to commence after the expiry of the period of six weeks from the date of the notice but before the expiry of the period of two years from that date as per Part VIII, Section 211 of the Town and Country Planning Act 1990.

NOTE FOR APPLICANT

1. British Standard BS 3998:2010 Tree Work - Recommendations came into effect on 31 December 2010 and supersedes BS 3998:1989 which is withdrawn. Before carrying out the works to which this notice applies, any person involved with the works should ensure they are fully aware of the contents of the new standard. A copy of the standard is available for inspection at the Council Offices, Blackdown House, Border Road, Honiton or can be purchased from the BSI Shop on the website www.bsigroup.com/shop.

	Service Lead Planning Strategy and Development Management	**Development Manager**	**Principal Planning Officer**
Authorised By			
Date			

Statement on Human Rights and Equality Issues

Human Rights Act:
The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

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Date:	1 July 2025
Please contact:	Mr R Capon (01395 517521)
E-mail:	Planningappeals@eastdevon.gov.uk
Our Reference:	**25/0296/ADV**

East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
Devon
EX14 1EJ

DX48808 Honiton

Tel: 01395 516551

www.eastdevon.gov.uk

Dear Sir/Madam

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007

APPEAL BY:	**Mr Oliver Bridge**
APPEAL REF:	**APP/U1105/Z/25/3368112**
PROPOSAL:	**Proposed 2no. illuminated signs**
LOCATION:	**Unit 6 And 7 Sideshore Queens Drive Exmouth EX8 2GD**
STARTING DATE:	**25 June 2025**

I am writing to let you know that an appeal has been made to the Secretary of State against the Council's decision to refuse to grant advertisement consent for the proposed development described above.

The appeal will be determined on the basis of written representations. The procedure to be followed is set out in Part 1 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009.

As this appeal is proceeding under the **Commercial Appeals Service**, there is no opportunity for you to submit comments. However, we have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant. These will be considered by the Inspector when determining the appeal.

If you wish to withdraw any representations you made on the application, you must make this request to the Planning Inspectorate by **23 July 2025.** You can do this online at https://acp.planninginspectorate.gov.uk

If you do not have access to the internet, please send your request to the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol BS1 6PN.

You can view the appeal documents for this application on our website: www.eastdevon.gov.uk.

The Planning Inspectorate aims to deal with appeals following this procedure within 8 weeks of the appeal start date. When made, the decision will be published online at https://acp.planninginspectorate.gov.uk

Yours faithfully

R Capon

Senior Technical Officer
Development Management

For official use only (date received): 23/06/2025 16:55:38

The Planning Inspectorate

ADVERTISEMENT CONSENT OR DISCONTINUANCE NOTICE APPEAL FORM
(Online Version)

WARNING: If we do not receive **all** of the supporting documents by the end of the 8 week appeal period, the appeal will not be accepted.

Appeal Reference: APP/U1105/Z/25/3368112

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr Oliver Bridge
Company/Group Name	Hangtime Limited
Address	Unit 6 & 7, Sideshore, Queens Drive Queens Drive Queens Drive Exmouth Devon EX8 2GD
Phone number	07729665716
Email	hangtimecafe@gmail.com

Preferred contact method — Email ☑ Post ☐

B. AGENT DETAILS

Do you have an Agent acting on your behalf? — Yes ☐ No ☑

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	East Devon District Council
LPA reference number	25/0296/ADV
Date of advertisement application	10/02/2025

Did the LPA issue a decision? — Yes ☑ No ☐

Date of LPA's decision	30/04/2025

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? — Yes ☑ No ☐

Address	Unit 6 & 7, Sideshore, Queens Drive Queens Drive Queens Drive Exmouth Devon EX8 2GD

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?	Yes	☐	No	☑
a. Has the land/site owner's consent been obtained?	Yes	☑	No	☐
b. Is the site on highway land?	Yes	☐	No	☑
c. Is the advertisement in position?	Yes	☐	No	☑

E. DESCRIPTION OF ADVERTISEMENT(S)

Please provide description(s), measurements and colours, including details of illumination (if any), of the advertisement(s) involved in the appeal. The description is set out in:

☐ the box below
☑ see 'Appeal Documents' section

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused consent for the advertisement(s) shown on the application form.	☑
2. Granted consent for the advertisement(s) subject to conditions to which you object.	☐
3. Failed to give notice of its decision within the appropriate period (usually 8 weeks) of an application for consent.	☐
4. Served a discontinuance notice.	☐

G. CHOICE OF PROCEDURE

There are two different procedures that the appeal could follow. Please select one.

1. Written Representations	☑
2. Hearing	☐

H. GROUNDS OF APPEAL

The grounds of appeal are:

☑ see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your grounds of appeal?	Yes	☐	No	☑

I. SUPPORTING DOCUMENTS

The application made to the LPA.	☑
All relevant plans and particulars submitted to the LPA.	☐
Any notice of decision.	☐

Any other relevant correspondence with the authority. ☐

The discontinuance notice. ☐

Any notice variations. ☐

Any relevant correspondence with the authority. ☐

J. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☑

K. CHECK SIGN AND DATE

(All supporting documents must be received by us within the 8 week time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledege.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

Signature	Mr Oliver Bridge
Date	23/06/2025 16:56:14
Name	Mr Oliver Bridge

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our privacy notice.

L. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full grounds of appeal) to the LPA. There is no need to send them all the documents again, send them any which were not previously sent as part of the application or in relation to the discontinuance notice.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:

  https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice or discontinuance notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

M. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	DESCRIPTION OF ADVERTISEMENT(S)
Document Description:	Description(s), measurements and colours, including details of illumination (if any), of the advertisement(s) involved in the appeal.
File name:	Hangtime cafe proposed signs .pdf
Relates to Section:	GROUNDS OF APPEAL
Document Description:	The grounds of appeal.
File name:	ADV .pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	The application made to the LPA.
File name:	ApplicationForm Hangtime cafe .pdf

Completed by	MR OLIVER BRIDGE
Date	23/06/2025 16:56:14

Appeal Document - Planning Application Refusal 25/0296/ADV

Introduction:

My name is Oliver Bridge and I am appealing on behalf of my business, Hangtime Cafe, for refused advertising consent (25/0296/ADV). The proposed two illuminated signs would be placed on the west and east elevations of the cafe building (Unit 6 and 7, Sideshore, Queens Drive, Exmouth).

Summary of the Proposed Development:

Over the past four years, Hangtime Cafe has undergone significant evolution, leading to a natural progression in our brand identity. Our turquoise square 'Hang-Time' logo has become an integral part of this evolution, serving as a cornerstone of our marketing efforts. It's prominently featured online, on our cups, menus, merchandise, deckchairs, and all event staging. Therefore, updating the cafe building's signage to align with these existing marketing materials and reflect our current brand is a logical next step.

Two 1.2 meter wide circular timber illuminated signs are the subject of this appeal (Image 1). In keeping with our brand aesthetics, they feature a white background with a turquoise foreground and internal LED strip lighting. The LED strip will produce 800 lumens, which is equivalent to the light output of a standard 60-watt incandescent light bulb. The proposed signs will be located on the east and west sides of the building. Illumination for the signs will be operational during Hangtime Cafe's daily opening hours (7:00 - 17:00 at present).



Image 1. The proposed sign within 25/0296/ADV

The application was refused for the reasons stated below:

‘The proposed illuminated signage, due to its prominent sitting, would be visually intrusive in the open setting and the adjacent county wildlife site known as The Maer. The development was considered contrary to Policy D4.4, which states that where a sign is illuminated, the type and level of lighting must be appropriate to the general level of lighting in the area.’

Although it is accurate to say the east-facing sign would face the Maer, it is not mentioned that a main road with constant traffic and light pollution lies between the proposed sign location and the Maer. Consequently, the proposed signs would have minimal impact compared to the existing disturbance from the road side street lamps and traffic.

Regarding concerns about the illumination level being appropriate for the general area's lighting, we reiterate that the proposed sign lighting will only be operational during our daytime cafe business hours. Therefore, it will only be on extremely rare occasions (e.g. winter mornings) that the lights will be on and therefore visible during darkness. Additionally, we wish to highlight the presence of several streetlights in close proximity to the intended sign locations. These street lights emit between 5,000 and 12,000 lumens, which significantly exceeds the proposed 800-lumen LED strip light (see Images 2, 3 and 4.).



Images 2, 3 and 4. Streetlights and other illuminated signage next to the proposed location where advertising consent (25/0296/ADV) has been sought.

Positive Justifications for the Proposal:

Our new signs will significantly benefit our business. The current signage is weathered and outdated, making it difficult for customers to read and recognize our brand. Our new turquoise logo, now central to our brand identity, will be prominently displayed, allowing customers to easily identify our cafe from a distance and boosting our visibility. These freshly painted signs

will also give our building an immediate facelift, enhancing the overall appearance of the Sideshore and seafront area.

Following the refusal of planning permission for the proposed signs, we met with the local council. During this meeting, we received verbal approval that the signage could proceed under two conditions: unilluminated indefinitely, or illuminated strictly within our business opening hours.

The councilors acknowledged the necessity of updating our signage to align with our evolving brand identity and deemed the proposed signs consistent with the local aesthetic. They expressed appreciation for the new design's justification and stipulated that the application should include the condition that illuminated signs will only be operational during Hangtime Cafe's daily opening hours.

Conclusion:

We request that the Planning Inspectorate overturn EDDC's decision and grant planning permission for the advertising consent (25/0296/ADV) of two illuminated signs. These signs are proposed for the west and east elevations of the cafe building (Unit 6 and 7, Sideshore, Queens Drive, Exmouth).

As agreed in-person with local councilors, the signs align with the local wood aesthetic of the Sideshore area and the current brand identity of Hangtime Cafe. Given that the signs will only be illuminated during the business opening hours of Hangtime Cafe, and that the illumination of the signage will be significantly less than that of neighbouring light sources and road traffic, the signs will pose no threat to light pollution in the area. We therefore request that for these reasons, the Planning Inspectorate overturn EDDC's decision and grant permission for the proposed signs.

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

Town and Country Planning Act 1990
TREE PRESERVATION ORDER (NO. 25/0007/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. 25/0007/TPO, "Land at Hollenden, 7 Foxholes Hill, Exmouth", 23rd January 2025.

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 23rd January 2025.

(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 23 January 2025

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 ...2nd... day of

...July... ...2025...

~~*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. 25/0007/TPO

LAND AT HOLLENDEN, 7 FOXHOLES HILL, EXMOUTH

REF. ON MAP	DESCRIPTION	SITUATION		
TREES SPECIFIED INDIVIDUALLY *(Encircled in a solid black line on map)*				
T1	Lime	Centred on grid ref:	(E) 301438	(N) 080098
T2	Lime	Centred on grid ref:	(E) 301432	(N) 080105

TREES SPECIFIED BY REFERENCE TO AN AREA
(None)

GROUP OF TREES
(None)

WOODLAND
(None)

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 25/0007/TPO

Land at Hollenden, 7 Foxholes Hill, Exmouth



1:1,250 0 12.5 25 50 Metres

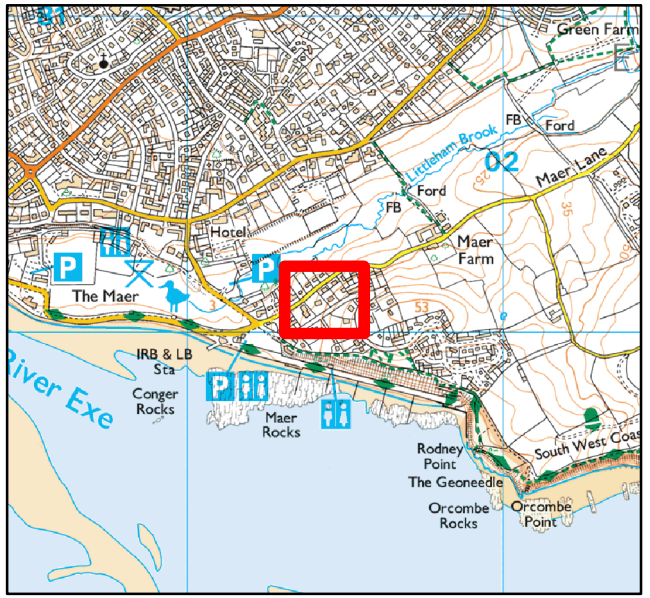
East Devon District Council

Key

- Tree
- Area
- Group
- Wood

Authorised Signature

02 July 2025



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