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

13 August 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 18 August 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 4 August 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**

TOWN

Planning Application No: 25/1453/TCA

Location: Holy Trinity Church, Rolle Road, EX8 2AB
Applicant: Mr Keith Moore
Proposal: Horse Chestnut: fell.

Target date: 20.08.25

Tree Officer's report attached for information.

6. **Planning applications.**

BRIXINGTON

Planning Application No: 25/1178/OUT

Location: 31 Churchill Road, EX8 4DN
Applicant: Mr A Vigor
Proposal: Outline application for the construction of two flats and associated works with all matters reserved.

Date limit for comments: 19.08.25

Planning Application No: 25/1488/FUL

Location: 3 Greenpark, EX8 4JL
Applicant: Mr Chris Martin
Proposal: Proposed new dwelling and associated amenity and off-road parking.

Date limit for comments: 19.08.25

HALSDON

Planning Application No: 25/1057/FUL

Location: 130 Hulham Road, EX8 4RD
Applicant: Mr Craig Hawthorne
Proposal: Retrospective planning application for a fence to be put up around the front/side of the property replacing a hedge.

Date limit for comments: 27.08.25

LITTLEHAM

Planning Application No: 25/0494/MFUL

Location: Hollenden, 7 Foxholes Hill, EX8 2DF
Applicant: Mr Mark Linney
Proposal: Demolition of existing house and garage to provide 18 residential flats with associated landscaping, car parking, bin and bikes stores.

Date limit for comments: 26.08.25

Planning Application No: 25/1644/FUL

Location: Rotherfield, 31A Douglas Avenue, EX8 2HE
Applicant: Mr & Mrs R.N. & J.K. Chapman
Proposal: Proposed rear single storey extension

Date limit for comments: 28.08.25

TOWN

None

WITHYCOMBE RALEIGH

Planning Application No: 25/1543/RES

Location: 65 Moorfield Road, EX8 3QP
Applicant: Ms S Fitzgerald
Proposal: Approval of reserved matters (appearance, layout, access, scale and landscaping), pursuant to outline planning permission 22/1260/OUT for the erection of a two storey 2-bed adjacent dwelling.

Date limit for comments: 22.08.25

Planning Application No: 25/1640/FUL

Location: 5 Nursery Mews, EX8 3RA

Applicant: Live West Housing
Proposal: Construction of single storey extension

Date limit for comments: 28.08.25

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7. Other items

None

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8. Items for information

i. Appeal decision
Appeal ref: APP/U1105/D/25/3366473
Appeal by: Mr Graham Downes
Application Ref: 25/0218/FUL
Location: 9 Oaktree Close, EX8 4QL
Proposal: First floor extension.

The above appeal was dismissed; the decision notice is attached for information.

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9. East Devon District Council – Planning Decisions

Application	*Exmouth Town Council View*	*EDDC Decision*
25/0947/VAR 105 Victoria Road	No objection	Approval
25/0822/FUL Flat 1, 10 Fair View Terrace	No objection	Approval
25/1386/FUL Tawny Bank Maer Lane	No objection	Approval
25/1282/FUL 11 Seafield Avenue	No objection	Approval
25/1264/FUL 245 Exeter Road	No objection	Approval

DELEGATED REPORT

Application No:	**25/1453/TCA**
Location:	**Holy Trinity Church Rolle Road Exmouth Devon EX8 2AB**
Proposal:	**Horse Chestnut : fell.**
Development Type:	**Tree in Conservation Area**
Date of Site Visit:	**25.07.2025**

Consultation Period End Date: 15.08.2025

CONSULTATIONS

CONTRIBUTORS

gill
22/07/25 - The tree in question is a beautiful mature Horse Chestnut that sits near to the entrance of the church grounds. It is directly opposite our house and blocks our view of the traffic exiting the church. Having done research on the infestation, it is a common disease and is not harmful to the tree and the tree can tolerate the pest. While the miner moth can cause significant defoliation, they do not typically cause long term damage. If necessary, the infestation can be treated in order to strengthen the tree. Felling a tree is a complete over reaction to the problem - this is an excerpt from the RHS site:

Horse chestnut leaf-mining moth

RHS
https://www.rhs.org.uk ¿ biodiversity ¿ horse-chestnut-le...
Horse chestnut trees appear to tolerate the moth and so control is not necessary or practical. Leaf miners can be part of a healthy balanced garden

With regards to the 'Bleeding Canker', this is an excerpt from forestresearch.gov.uk site:

Some trees may survive for many years because disease progression can be very slow. They might even show signs of recovery, thanks to vigorous callus development at the margins of cankers when bark has been killed by the disease. Removing affected trees unless they pose a safety hazard is unnecessary. It will not prevent disease spread on a site where some trees already show symptoms. Also, significant numbers of trees do recover.

DELEGATED REPORT

There is more information on this disease on the website.

Other Representations

None.

OFFICER REPORT

The tree subject of this notification is an approximately 10m high Horse Chestnut with a maximum radial crown spread approaching 5m. It is located in the northern quadrant of the church site being easily seen from both directions along Rolle Road and from the north-eastern end of Bicton Place. The tree forms part of a verdant church precinct that contributes to the character and amenity of the area. The tree bole is some 5m from the access road / car park for the church. There is evidence of previous formative pruning or branch failings when a young specimen as the tree has multiple branched 0.5-2m above ground level. Many of the branch unions exhibit weaknesses because of occluded joints which have the potential to fail more easily than a typical, healthy join. At the time of the site visit, evidence of Leaf-minor moth activity was estimated to be no more than 20% of total crown leaf area; and, bleeding cankers were evidenced on a number of branches. The south-eastern third of the crown was visibly under stress as die-back and early leaf loss could be seen. This situation is more likely to be attributable to Horse Chestnut bleeding canker than to leaf-minor activity.

Although, it is not inevitable that the tree will succumb to the pathogen (and Leaf-minor activity is an annual occurrence with many Horse Chestnuts, that recover year-on-year), the fact that the tree is of poor structural integrity with high-risk targets nearby is a reason enough not to consider making a tree preservation order. The canker may further weaken the occluded branch unions. In any case, as the immediate surrounds contain many large, dominant trees, the character and amenity of the conservation will not be diminished by its removal.

Although, the Council has no powers to require or enforce replanting, at the time of writing, the applicant has been asked to consider the planting of a suitable replacement tree elsewhere on-site. An informative on the decision notice will advance the idea of replacement planting.

Given the above, 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.

CONCLUSION

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

RECOMMENDATION

DELEGATED REPORT

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. **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).

2. 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.

3. Whilst the Council has no powers to require or enforce the request, the applicant is encouraged to consider the planting of a suitable replacement tree elsewhere on-site.

   If further advice on possible replacement species or other related matters is required, please let us know.

	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:

DELEGATED REPORT

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.

Planning Inspectorate

Appeal Decision

Site visit made on 9 July 2025

by D R Kay BA Dip.Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/U1105/D/25/3366473
9 Oaktree Close, Exmouth, Devon EX8 4QL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Graham Downes against the decision of East Devon District Council.
- The application Ref is 25/0218/FUL.
- The development proposed is a First Floor Extension.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

Reasons

3. The appeal property is one of a pair of semi-detached bungalows, with hipped roofs. The appeal property's roof space has already been the subject of development with dormer windows present to its front and rear roof slopes. The property sits within a cul-de-sac of similar bungalow properties at a bend in the Close, leading to a tight relationship between the properties which turn this corner. The Close is located on an area of sloping ground, with distant views possible between and over the roofs of bungalow properties.

4. From my site visit, it was apparent that properties on Oaktree Close have been the subject of limited development, much of which relates to single-storey conservatories and the conversion of roof spaces using sloping roof windows. There was limited change to the profiles of roofs, with dormer additions at the appeal property, on the side roof slope at 3 Oaktree Close (No 3) and on the rear roof slope at 10 Oaktree Close (No 10).

5. The detached bungalow at 5 Oaktree Close (No 5) had also been developed. This related to a change of the hipped roof to a gable to allow conversion of the roof space. However, as this property is detached, and its gable faces the road, the change from a hipped to a gabled roof form here has had little effect on the street scene. The character of the area is therefore that of a low-rise suburban residential neighbourhood, with limited change to its original pattern of development.

6. The proposal would build on the existing gable of the property, raising its level significantly, though stopping short of forming a full gable, forming a small, hipped gable section. The increased roof slope would enable a further bedroom and en-

suite to be accommodated internally. A small ribbon window under the new hipped gable eaves, together with a further dormer window on the road facing roof slope would be introduced. The existing dormer on the rear roof slope would be enlarged, running almost the full length of the rear roof slope.

7. The proposal would remove the overall symmetry of the profile of the pair of semi-detached bungalows. This symmetry is particularly visible in views looking down the Close from the position of its turning circle. This loss of symmetry would imbalance the pair of semi-detached bungalows and would harm the character of the host dwelling and the Close. Whilst the increase in size of the rear dormer would not be discernible from Oaktree Close, it would be visible from the public realm in views between gables of the properties at 19 and 21 Mount Pleasant Avenue, where it would present an incongruous mass on the roof slope. This would be prominent, harmfully changing the property's character from a bungalow to a two-storey dwelling. This would be out of character with surrounding development.

8. The appellant has provided several examples of developments within the wider area which they consider provides precedent for their proposal. Having reviewed these examples at my site visit, I find that many do not provide positive design precedents. In any case, where occasional examples do exist, they do not form part of the character of the wider area. The appellant further states that such design adaptations are becoming a regular and accepted feature of the local roof scape.

9. However, whilst there are examples of such development within the wider area, the appeal proposal would not be viewed within that wider context. Instead, it would be experienced within the immediate vicinity of Oaktree Close and Mount Pleasant Avenue. In that context, it would be out of character with surrounding development and would harm its character and appearance.

10. I therefore conclude that the proposal would have an unacceptable effect on the character and appearance of the host dwelling and the surrounding area. It follows therefore, that the appeal proposal is contrary to Strategy 48 and policy D1 of the East Devon Local Plan (2016) (the Local Plan) and policy EB2 of the Exmouth Neighbourhood Plan. These require, among other things, high standards of design that respect the key characteristics and special qualities of the area in which development is proposed, and to ensure that the scale, massing, height and fenestration relate well to their context.

Other Matters

11. The Council is at the Regulation 19 stage in the preparation of the Draft East Devon Local Plan (2025-2042), with the public consultation period having recently closed. Whilst the Council had referred to certain policies from this draft Local Plan in the delegated report, and in their decision notice, as this plan has not yet gone through the examination process, I have given limited weight to the policies referred to in the Council's report in my determination of the appeal.

Conclusion

12. For the reasons set out above, I conclude that the appeal proposal would be contrary to the development plan, read as a whole, and that there are no material considerations, including policies in the Framework, that would justify determining other than in accordance with it. Therefore, the appeal should be dismissed.

D R Kay

INSPECTOR