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

22 October 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 27 October 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 13 October 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: 25/1846/TRE

Location: East Checkstone, 4 Douglas Avenue, EX8 2AU
Applicant: Spencer Jarrett
Proposal: T1, Magnolia: crown reduction to previous pruning points; reduce northeastern aspect by 1-2m and to shape; crown thin by up to 20%, Maximum Diameter of cuts (MDC) 50mm.
T2, Purple Leaf Plum: crown reduction by 2m and prune laterals to shape; crown thin by 20% and remove deadwood.
T3, Magnolia: crown reduction to retain an approximate 2.5-3m radius; reduce height to shape accordingly, crown thin lightly, MDC 50-75mm. These works are proposed as part of the reasonable and responsible maintenance of these garden trees.

Target date: 30.10.25

Tree Officer's report attached for information.

Planning Application No: 25/1901/TRE

Location: 49 Cranford Avenue, EX8 2QF
Applicant: David Rice
Proposal: 1 x Weeping Willow: pollard to previous points with final cuts made at approximately 6m from ground level, removing approximately 4m of growth.

Target date: 06.11.25

6. **Planning applications.**

BRIXINGTON

None

HALSDON

None

LITTLEHAM

Planning Application No: 25/1952/FUL

Location: 4 Littleham Road, EX8 2QG
Applicant: Mr Nigel Jones
Proposal: Change of use from Bakery (Class E) to hot food Takeaway (Sui Generis)

Date limit for comments: 29.10.25

Planning Application No: 25/2107/FUL

Location: 1 The Red Lodge, 11 Elwyn Road, EX8 2EL
Applicant: Mr & Mrs Evans
Proposal: Single storey extension

Date limit for comments: 06.11.25

Planning Application No: 25/1880/FUL

Location: 1 Engineers Way, EX8 2FZ
Applicant: Mr Jamie Ratibb
Proposal: Proposed garden room for use incidental to the main dwellinghouse.

Date limit for comments: 07.11.25

TOWN

Planning Application No: 25/2041/FUL

Location: 44 Madeira Villas, EX8 1QP
Applicant: Mr Cain
Proposal: Erection of a single-storey rear extension

Date limit for comments: 29.10.25

WITHYCOMBE RALEIGH

None

7. Other items

None

8. Items for information

i. Correspondence with the Ministry of Housing, Communities & Local Government – Legislation on Tree Preservation Orders (TPO)

Copy letter attached for information.

ii. Appeal decision

Appeal ref: APP/U1105/D/25/3368947
Appeal by: Mr Robert Davis
Application Ref: 25/0162/FUL
Location: The Cottage, 9 Withycombe House, Hillcrest Gardens, EX8 4FF
Proposal: The development proposed is to retain wooden boundary fence.

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

iii. Appeal Notification

Appeal ref: 6001016
Appeal by: Miss Julie Rhodes
Application Ref: 23/1277/FUL
Location: Bystock Court, Old Bystock Drive, EX8 5EQ
Proposal: Proposed 4 no. cottages.

An appeal has been made to the Secretary of State against the decision of East Devon District Council to refuse to grant planning permission for the proposed development described above. Copy letter attached for information.

iv. Neighbourhood Plan – Notice of consultation

The Neighbourhood Plan for Woodbury Parish has been submitted to East Devon District Council, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. Comments on this Plan are now being invited, with a closing date of **9am 27th November 2025**.

Details of how to view the documents and submit comments can be found in the attached notice.

9. East Devon District Council – Planning Decisions

Application	*Exmouth Town Council View*	*EDDC Decision*
25/1865/FUL 12 Greenhill Avenue	No objection	Approval
25/1759/VAR 1 The Red Lodge 11 Elwyn Road	No objection	Withdrawn
25/1671/FUL Rohaven, 176 Exeter Road	No objection	Approval

25/0131/FUL **Manor Holdings Ltd** **Beacon Place**	**No objection**	**Refused**
25/1890/FUL 23 Bapton Lane	No objection	Approval
25/1830/FUL 36 Madeira Villas	No objection	Approval
25/1739/FUL 73 Douglas Avenue	No objection	Approval
25/1691/FUL Premier Inn, Esplanade	No objection	Approval
25/1484/FUL 123 The Marles	No objection	Approval
25/1197/VAR Liverton Farm, Salterton Road	No objection	Approval
25/1766/FUL 21 Barnfield Avenue	No objection	Approval

DELEGATED REPORT

Application No: **25/1846/TCA**

Location: **East Checkstone 4 Douglas Avenue**
Exmouth
Devon
EX8 2AU

Proposal: **T1, Magnolia : crown reduction to previous pruning points; reduce northeastern aspect by 1-2m and to shape; crown thin by up to 20%, Maximum Diameter of Cuts (MDC) 50mm.**
T2, Purple Leaf Plum : crown reduction by 2m and prune laterals to shape; crown thin by 20% and remove deadwood.
T3, Magnolia : crown reduction to retain an approximate 2.5-3m radius; reduce height to shape accordingly; crown thin lightly, MDC 50-75mm.

Development Type: **Conservation Area**

Date of Site Visit: **03.10025**

Consultation Period End Date: 03.10.2025

CONSULTATIONS

None received.

CONTRIBUTORS

None received.

OFFICER REPORT

The three trees grow on the southern side of the apartment building. While these small trees are of limited significance beyond the property boundary, they do contribute positively to the setting of the communal grounds.

These trees have been historically trimmed, and the proposed works are a continuation of this previous management.

This notification was initially registered incorrectly as a Tree Preservation Order application, when it should have been recorded as a Conservation Area notification. Consequently, the application reference number has been amended from 25/1846/TRE to 25/1846/TCA.

CONCLUSION

No objection is raised to the ongoing management of these small trees.

RECOMMENDATION

APPROVE

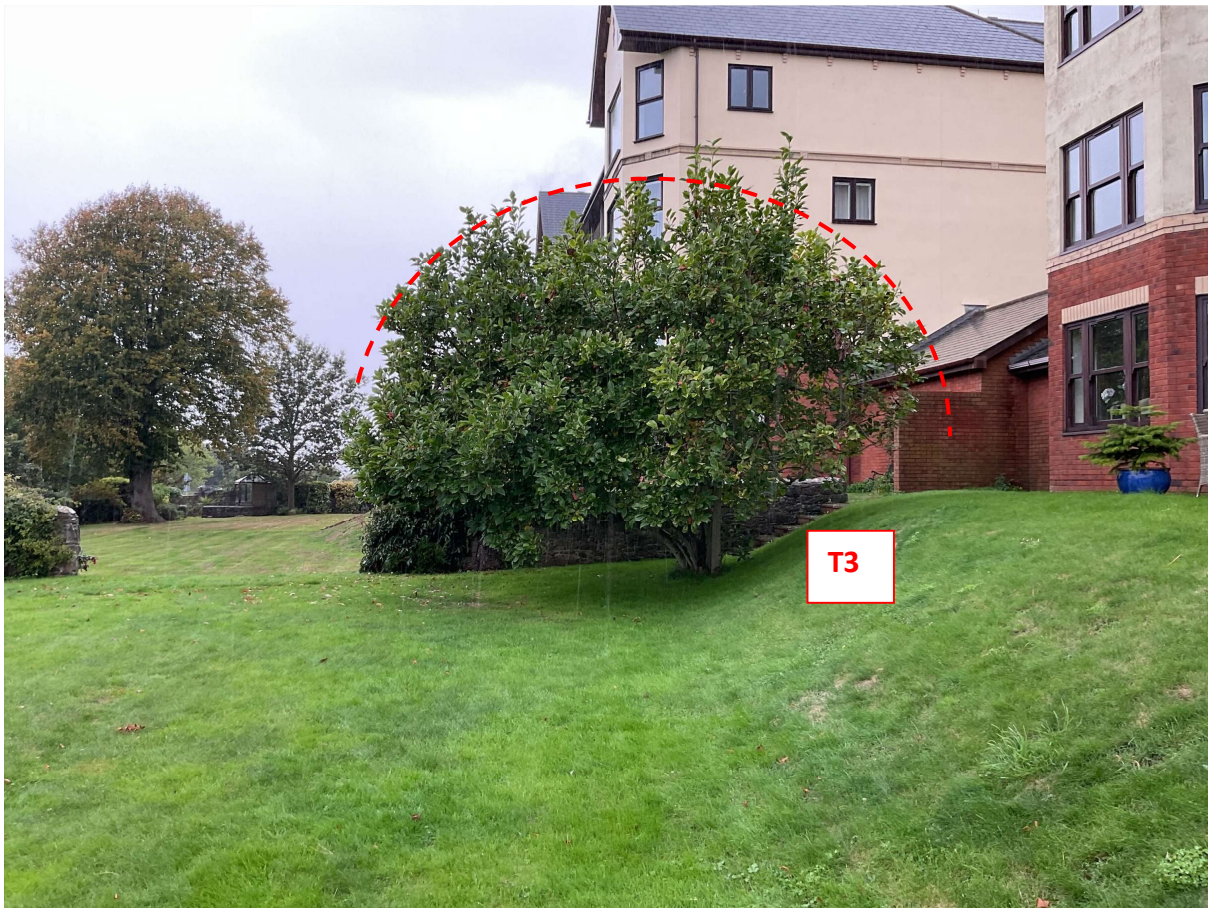
1. The works, hereby consented to, shall be carried out within a period of 2 years from the date of this decision notice.

(Reason - To ensure that the works are carried out within a reasonable period of time.)

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.



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.

Planning Inspectorate

Appeal Decision

Site visit made on 29 September 2025

by S Harrington MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16.10.2025

Appeal Ref: APP/U1105/D/25/3368947
The Cottage, 9 Withycombe House, Hillcrest Gardens, Exmouth, Devon EX8 4FF

- 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 Robert Davis against the decision of East Devon District Council.
- The application Ref is 25/0162/FUL.
- The development proposed is to retain wooden boundary fence.

Decision

1. The appeal is allowed and planning permission is granted to retain wooden boundary fence at The Cottage, 9 Withycombe House, Hillcrest Gardens, Exmouth, Devon EX8 4FF in accordance with the terms of the application, Ref 25/0162/FUL, subject to the following condition:

    1) The development hereby permitted shall be carried out in accordance with drawings: Location Plan; Site Plan; Block Plan; East Elevation; West Elevation.

Preliminary Matters

2. I have taken the description of development in the banner heading above from the application form. However as 'retrospective application' is not an act of development, I have removed this element.

3. The Council assessed the development as a retrospective application. During my site visit, I observed a development which appeared the same as that shown on the application plans. I have therefore also assessed the development on the basis that it is a retrospective proposal.

Main Issue

4. The main issue is the effect of the development on the setting of the Grade II listed Withycombe House.

Reasons

5. The appeal site is part of the Grade II listed Withycombe House (formerly known as Hillcrest School) which was a former 'Gothic revival' villa dating back to the mid 19th century and has since been sub-divided into a number of residential units.

6. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have

special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.

7. Moreover, the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation.

8. The significance and special interest of Withycombe House derives, in part, from its architectural execution, historic fabric and origins as a 'Gothic revival' villa. In respect of its setting, modern residential development has occurred around the heritage asset limiting how the asset is experienced. However, parklands to the south, including Withycombe Brook Valley, form a setting which provides the ability to appreciate the significance, by allowing the full southern aspect of the asset to be experienced in a verdant landscape.

9. Whilst the residential units that now form part of the heritage asset benefit from individual garden areas that are delineated by estate style metal fences, a number of boundaries also consist of mature and often tall planting. Nevertheless, I observed that this boundary planting despite appearing tall and solid, does not hinder views over and through the garden areas and continues to allow an appreciation of the significance of the heritage asset.

10. The fencing the subject of this appeal is modest in height, separated from the heritage asset by laurel hedging, and due to trellis across the top section has limited solidity. Moreover, the black colour provides a suitable transition with the existing estate style fencing. Consequently, when seen in conjunction with existing boundary treatments, landscaping, both built and planted, as well as other domestic garden features and paraphernalia, the fence's overall size and substance leads it to have a limited presence within the setting of the heritage asset. Furthermore, the materials are not so unusual or uncharacteristic that they fail to preserve the setting or otherwise reduce the ability to appreciate the significance of the heritage asset.

11. Consequently, I find that the fencing has a neutral impact on the setting of the Grade II listed Withycombe House. The development accords with policies EN8 and EN9 of the East Devon Local Plan 2013 to 2031, and Policy EB1 of the Exmouth Neighbourhood Plan 2018-2031. These policies seek, amongst other matters, to ensure development conserves heritage assets. Furthermore, the proposal would accord with policies HE01 and HE02 of the emerging East Devon Local Plan 2020-2042 which similarly seek, amongst other matters, to conserve the significance of heritage assets.

Conditions

12. As the development has been commenced, a time limit condition is not required. However, a plans condition is required to provide certainty.

Conclusion

13. For the reasons given above the appeal should be allowed.

S Harrington

INSPECTOR

Date:	20 October 2025
Please contact:	Mr R Capon (01395 517521)
E-mail:	Planningappeals@eastdevon.gov.uk
Our Reference:	**23/1277/FUL**

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 ACT 1990
APPEAL BY: Miss Julie Rhodes
APPEAL REF: 6001016
PROPOSAL: Proposed 4 no. cottages
LOCATION: Bystock Court Old Bystock Drive Exmouth Devon EX8 5EQ

I refer to the above details. An appeal has been made to the Secretary of State against the decision of the East Devon District Council to refuse to grant planning permission for the proposed development.

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in Part 2 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009, as amended.

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 make comments, or modify/withdraw your previous representation, you can do so online at**
Appeal a planning decision: Comment on an appeal - GOV.UK

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

All representations must be received by 20 November 2025. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.** Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

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

You can get a copy of one of the Planning Inspectorate's 'Guide to taking part in planning appeals' booklets free of charge from GOV.UK at https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal or from the Council on request.

Yours faithfully

R Capon

Senior Technical Officer
Development Management

NOTICE OF CONSULTATION

Woodbury Parish Neighbourhood Plan Submission

Woodbury Parish Council have prepared and submitted a Neighbourhood Plan for the parish of Woodbury, under the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Localism Act 2011. The plan has been prepared with local community involvement and sets out a vision for the future and planning policies which will be used to determine planning applications in the Plan area.

East Devon District Council are now inviting comments on the Plan under (Regulation 16) Submission Consultation. All comments received will be passed with the submitted documents for consideration by an independent examiner who will recommend whether the draft Plan should proceed to referendum.

The consultation runs from Wednesday 15th October to **9am 27th November 2025.**

Where to View the Plan

The Neighbourhood Plan and key supporting documents are available to view and comment on via our consultation portal at https://woodburyparishneighbourhoodplanreg16.commonplace.is/. Documents can also be viewed online on the Neighbourhood Planning pages of the East Devon District Council website and on the Woodbury Parish Council website. Paper copies are available to view at the Parish Council office, Greenside, Greenway, Woodbury, EX5 1LP.

Alternatively, the documents can be viewed **by appointment** at our District Council Offices at Exmouth or Honiton (Exmouth Town Hall, St Andrews Road, Exmouth, EX8 1AW / Blackdown House, Border Road, Honiton, EX14 1EJ). If necessary, paper copies can be sent on request.
Contact: planningpolicy@eastdevon.gov.uk / 01395 571740 to arrange.

How to Make Comments

If you would like to make a representation on the Plan, submit your comments to arrive by 9am 27 November 2025. Comments can be submitted direct through our consultation portal (preferred) or alternatively by email: planningpolicy@eastdevon.gov.uk or by post: Angela King, Planning Policy, East Devon District Council, Blackdown House, Border Road, Honiton, EX14 1EJ. A comments form is available online or in paper copy in the locations above. Please indicate within your response if you wish to be notified of our decision on the plan proposal.

How we will use Your Information

Your representations will be recorded electronically and published on our website, including your name. Addresses will not normally be published, and all other personal contact details will be removed before publishing. We will use the information you supply for the purpose of producing the neighbourhood plan and may inform other Planning Policy work. Your information will be held securely and will not be retained for any longer than is necessary. Please see the Neighbourhood Planning Privacy Notice on our website for more details at http://eastdevon.gov.uk/privacy.