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

19th November 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 24th November 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 10th November 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: 25/2169/TCA

Location: 14 Portland Avenue, EX8 2BS
Applicant: Mr & Mrs Veale
Proposal: T1: Hazel – cut back eastern crown off lawn and fell small Holly to south. T2: Holm Oak – remove northernmost stem and reshape. Fell small, isolated stem growing just to west. T3: Palm – fell. T4: Holm Oak – remove two lowest limbs growing to east. G1: Cypresses and Bay – fell. G2: Holm Oaks – fell. G3: Holm Oak, Bay, Laurel, Yew – fell.

Target date: 03.12.25

Tree Officer's report attached for information.

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6. **Planning applications.**

BRIXINGTON

Planning Application No: 25/2176/FUL

Location: Seven Acre Corner, St Johns Road, EX8 5EF
Applicant: Mr Mark Nicholls
Proposal: Construction of agricultural storage building with photovoltaic panels on the southwest elevation of the roof.

Date limit for comments: 27.11.25

HALSDON

Planning Application No: 25/2250/FUL

Location: 45 Featherbed Lane, EX8 3NE

Applicant: Paul Bartlett
Proposal: Construction of single storey rear extension and front porch. Velux roof window on East elevation and replacement of window with door on West elevation.

Date limit for comments: 01.12.25

Planning Application No: 25/2302/FUL

Location: 33 Brixington Lane, EX8 4JG
Applicant: Mr Stuart Winks
Proposal: Proposed single storey extensions to the front and rear of the property.

Date limit for comments: 05.12.25

Planning Application No: 25/2306/FUL

Location: 25 Halsdon Avenue, EX8 3DW
Applicant: Mr Shaun Bagwell
Proposal: Wraparound single storey rear and side extension, front porch extension and cladding to the front elevation.

Date limit for comments: 08.12.25

LITTLEHAM

Planning Application No: 25/2272/FUL

Location: 58A Salterton Road, EX8 2NF
Applicant: Mr Mike Camp
Proposal: Two storey side extension.

Date limit for comments: 02.12.25

Planning Application No: 25/2235/FUL

Location: Queens Drive Seawall, EX8 2GD
Applicant: East Devon District Council
Proposal: Retrospective flood and coastal erosion risk management scheme comprising the replacement of a failed section of the Queens Drive Seawall. The development included removal of the former seawall and installation of an anchored steel sheet pile retaining wall along the alignment of the former structure and facilitating compound and stockpiling areas.

Date limit for comments: 03.12.25

Planning Application No: 25/2128/FUL

Location: Devon Cliffs Holiday Centre, Sandy Bay, EX8 5BT
Applicant: Gary Hosie

Proposal: Use of land for the siting of six static caravans, including the reconfiguration, infill and re-location of static caravans from elsewhere (resulting in a total net increase of two statics); associated infrastructure and landscaping.

Date limit for comments: 04.12.25

Planning Application: 25/2261/FUL

Location: 54 Douglas Avenue, EX8 2HE
Applicant: Mr & Mrs Wilkes
Proposal: Erection of a two-storey linking extension between the existing main dwellinghouse and detached garage with annexe accommodation above, including internal alterations to provide first floor bedroom accommodation and an enlarged ground floor annexe.

Date limit for comments: 04.12.25

TOWN

None

WITHYCOMBE RALEIGH

None

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7. Other items

None

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8. Items for information

i. Appeal Notification
Appeal ref: 6001345
Appeal by: Mr Stephen Drinkall
Application ref: 24/0785/FUL
Location: Flat, The York Inn, 21 Imperial Road, EX8 1BY
Proposal: 2no proposed one-bedroom apartments over an existing public house.

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.

ii. Notification of Tree Preservation Orders
Land at, and to the north of, Brickfield Cottage, Mudbank Lane – 25/0048/TPO

Confirmation of the above TPO, details attached.

9. East Devon District Council – Planning Decisions

Application	*Exmouth Town Council View*	*EDDC Decision*
25/2011/FUL Ashfield, 18 Windsor Square	No objection	Approval
25/1912/FUL Brixington Junior and Infant School	No objection	Approval
25/0957/FUL Tesco, Salterton Road	No objection	Approval

DELEGATED REPORT

Application No: **25/2169/TCA**

Location: **14 Portland Avenue Exmouth**
Devon
EX8 2BS

Proposal: **T1: Hazel - cut back eastern crown off lawn and fell small Holly to south.**
T2:: Holm Oak - remove northernmost stem and reshape. Fell small, isolated stem growing just to west.
T3: Palm - fell.
T4: Holm Oak - remove two lowest limbs growing to east.
G1: Cypresses and Bay - fell.
G2: Holm Oaks -fell.
G3: Holm Oak, Bay, Laurel, Yew - fell.

Development Type: **Tree in Conservation Area**

Date of Site Visit: **31.10.2025**

Consultation Period End Date: **21.11.2025**

CONSULTATIONS

None received.

CONTRIBUTORS

Other Representations

None.

OFFICER REPORT

The works to T1: Hazel and T2: Holm Oak and T4: Holm Oak, in the rear garden, are intended to maintain an appropriate level of clearance and ease of access above the lawned area and along the path. They are considered arboriculturally appropriate management.

T3: Palm is a specimen of poor form located close to the rear elevation of the property. It has no amenity value and there is no objection to its removal.

G1 is a group of poorly formed Bay and Cypress located in the centre of the rear garden running perpendicular to each of the boundaries. As they have no great amenity value, their loss has no objections.

G2: Holm Oaks is a clump of previously coppiced trees that have become bushier and more ill-suited to this particular garden setting. Although there are views of them from near neighbours abutting the rear garden, it is not justifiable to make a TPO on this group.

T4: Holm Oak is a specimen to the front of the property that has a worthy presence in the street scene and thus has valuable amenity. It dominates the species forming G3 which are less prominently viewed, with amenity value not warranting protection. T4 was subject of a notification 24/1935/TCA to crown raise and remove six branches that overhung the garden

of 14A. Further removal of branches from this tree within a few years of this notification may not be considered best practice and the applicant is advised to consider the future welfare of the tree as per pruning guidance contained within BS3998: 2010: Tree Works Recommendations. The current proposal, to remove two branches growing to the east, is reasonable management in the context of maintaining a necessary clearance over the public footpath and does not adversely affect the amenity of the setting.

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

NO OBJECTION:

1. The Local Planning Authority has no objection to the proposed tree works as detailed within your original notification of works:

   The works shall be carried out within a period of two years from the date of your original notice. The reason is to comply with Section 211 of the Town & 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 suitable replacement trees elsewhere on-site.

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

DELEGATED REPORT

	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.

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.

Date:	14 November 2025
Please contact:	Mr R Capon (01395 517521)
E-mail:	Planningappeals@eastdevon.gov.uk
Our Reference:	**24/0785/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: Mr Stephen Drinkall
APPEAL REF: 6001345
PROPOSAL: 2no proposed one-bedroom apartments over an existing public house
LOCATION: Flat, The York Inn 21 Imperial Road Exmouth EX8 1BY

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 16 December 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.

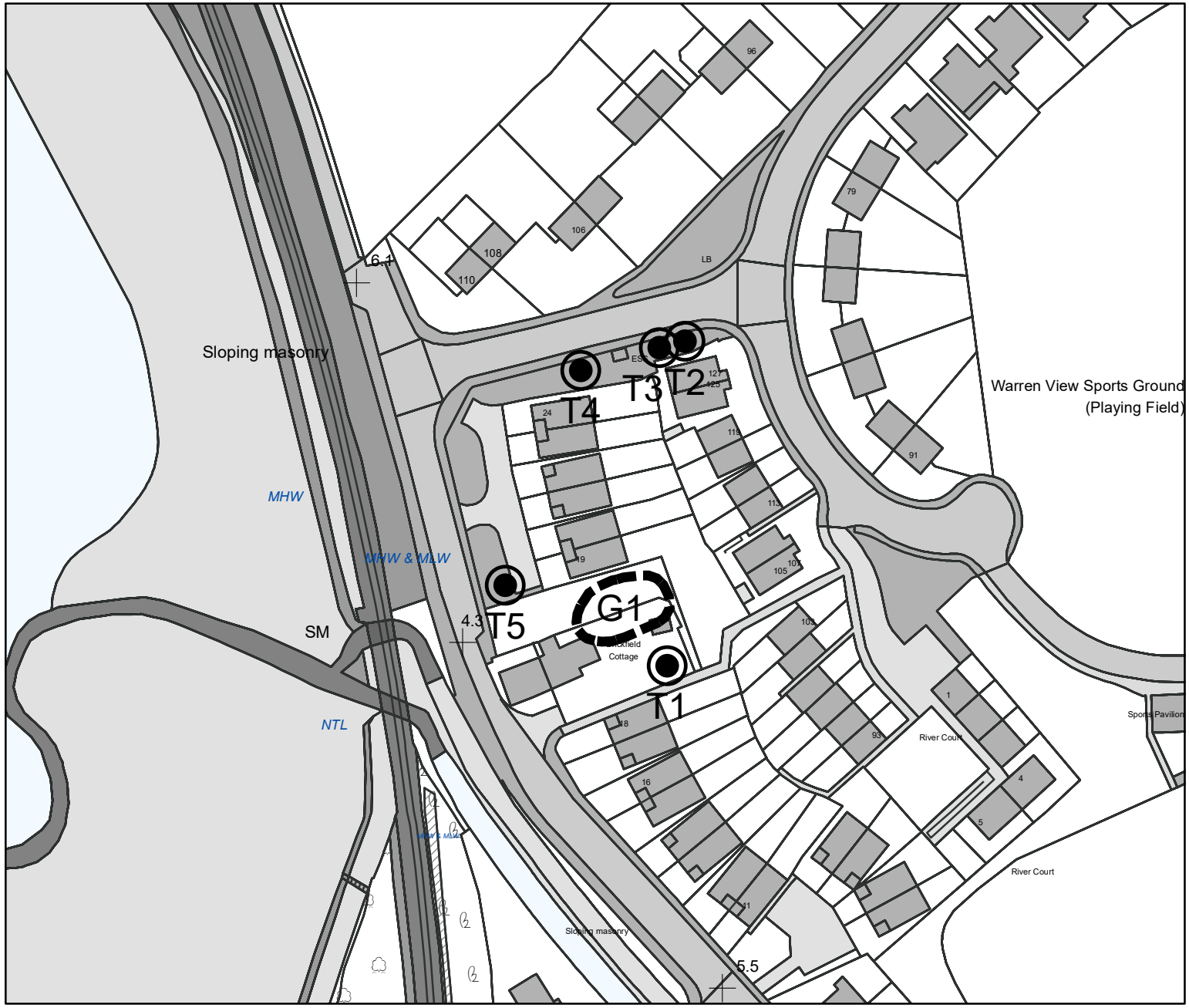
Yours faithfully

R Capon

Senior Technical Officer
Development Management

East Devon District Council Tree Preservation Order 25/0048/TPO

Land at, and to the north of, Brickfield Cottage, Mudbank Lane, Exmouth



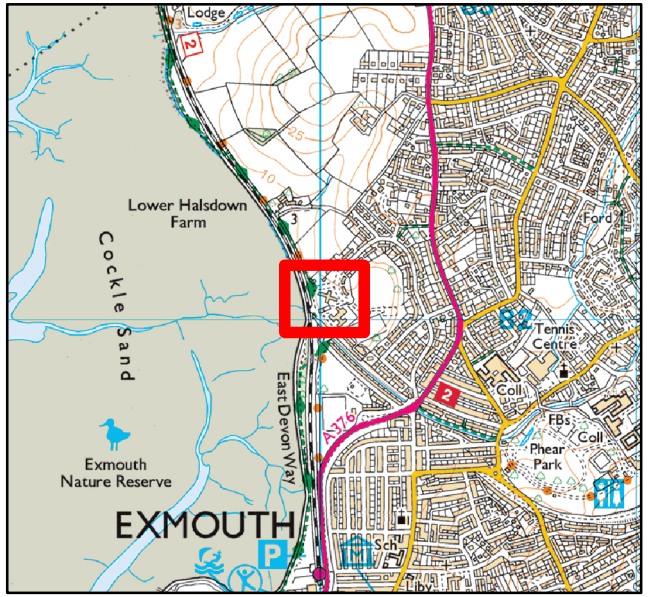
East Devon District Council

Key

- Tree
- Area
- Group
- Wood

Authorised Signature

06 November 2025



1:1,250

0 12.5 25 50 Metres

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

Town and Country Planning Act 1990
TREE PRESERVATION ORDER (NO. 25/0048/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. 25/0048/TPO, "Land at, and to the north of, Brickfield Cottage, Mudbank Lane, Exmouth", 6th November 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 6th November 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 6 November 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 ..... 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. 25/0048/TPO

LAND AT, AND TO THE NORTH OF, BRICKFIELD COTTAGE, MUDBANK LANE, EXMOUTH

REF. ON MAP	DESCRIPTION	SITUATION		
TREES SPECIFIED INDIVIDUALLY *(Encircled in a solid black line on map)*				
T1	Birch	Centred on grid ref:	(E) 300028	(N) 082031
T2	Birch	Centred on grid ref:	(E) 300032	(N) 082100
T3	Birch	Centred on grid ref:	(E) 300027	(N) 082099
T4	Birch	Centred on grid ref:	(E) 300010	(N) 082094
T5	Birch	Centred on grid ref:	(E) 299994	(N) 082048
TREES SPECIFIED BY REFERENCE TO AN AREA *(None)*				
GROUP OF TREES *(Shown within a broken black line on map)*				
G1	x2 (two) Oak	Centred on grid ref:	(E) 300018	(N) 082043
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.