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

23 September 2026

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 28 September 2026 at 6.15pm** to consider the matters detailed on the agenda below.

Yours faithfully

Lisa Bowman
TOWN CLERK

AGENDA

1. Apologies for absence

PUBLIC SPEAKING

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

2. **Minutes of meeting held on 14 September 2026:**
   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**

BRIXINGTON

Planning Application No: 26/1583/TRE

Location: 14 Durham Close, EX8 5QU
Applicant: N Southwood
Proposal: T1, Turkey Oak: reduce the crown by up to 2m to suitable pruning points, retaining a balanced and natural crown form. The finished tree will have an approximate height of 10 metres, with a maximum pruning wound diameter of 65mm.
T2, Oak: reduce the crown by up to 2m to suitable pruning points, retaining a balanced and natural crown form. The finished tree will have an approximate height of 8m, with a maximum pruning wound diameter of 65mm.
T3, Oak: reduce the crown by up to 2m to suitable pruning points, retaining a balanced and natural crown form. The finished tree will have an approximate height of 8m, with a maximum pruning wound diameter of 65mm.

Target date: 01.10.26

Tree Officer's report attached for information.

6. **Planning applications.**

BRIXINGTON

Planning Application No: 25/0078/MOUT

Location: Land At Higher Marley Road
Applicant: Tracy Ford
Proposal: Outline application seeking approval for access only (with matters of layout, scale, appearance and landscaping reserved) for residential development comprising of up to 119 dwellings, public open space, landscaping, sustainable urban drainage system and engineering works, with vehicular access off Higher Marley Road.

Amended plans
Revision to site layout and additional landscape and ecological information.

Date limit for comments: 01.10.26

Planning Application No: 26/1874/FUL

Location: 72 Valley Way, EX8 4RL
Applicant: Mr Rob Myatt
Proposal: Proposed alterations to the conservatory and cladding to part external walls

Date limit for comments: 09.10.26

HALSDON

Planning Application No: 26/1622/FUL

Location: Withycombe Rugby Football Club Raleigh Park, Hulham Road, EX8 3HS
Applicant: Mr Max Rait
Proposal: Erection of 8 no. floodlighting columns with associated luminaires, cabling and feeder pillar

Amended plans for consultation.
Alterations to the design specification to luminaries on columns 6 & 7.

Date limit for comments: 06.10.26

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 bike stores.

Amended plans for consultation.
Apartments revised with gable roofs stepping down hill to reduce massing and to provide a better response to the existing streetscape. Additional soft landscaping added, including additional tree and hedge screening along Foxholes Hill.

Date limit for comments: 30.09.26

Planning Application No: 26/1838/FUL

Location: Flat 2, 7 Louisa Terrace, EX8 2AQ
Applicant: Mr & Mrs D Moll
Proposal: Replacement door, windows, glazed balustrading & terrace.

Date limit for comments: 09.10.26

TOWN

Planning Application No: 26/1773/COU

Location: 13 High Street, EX8 1NP
Applicant: Keval Sejpar
Proposal: Change of use from existing Sui Generis to Class E (use as an Optometry Practice) No external operational development proposed.

Date limit for comments: 01.10.26

WITHYCOMBE RALEIGH

Planning Application No: 26/1846/FUL

Location: Littlefield House, Salterton Road, EX8 5BW
Applicant: Ms Deborah Riches
Proposal: Single storey extension at Lower Ground Floor Level with terrace above. Dormer windows to rear elevation extended, rooflights added to rear and front elevations.

Date limit for comments: 09.10.26

---

7. Other items

i. Allocation of Street Names – Development at Goodmores
To consider proposed street names for the Goodmores development.
Members are invited to submit alternative bird-themed street names for consideration. Any suggestions should be emailed to the Chair and the Planning Administrator, together with a brief explanation of the reason for the proposal and its relevance to the local area.

The item was deferred from the previous meeting to allow members additional time to submit suggestions.

Street name and numbering policy information

Date limit for comments: 28.09.26

ii. Notification of New Premises Licence Application received.
Ref No: 062696
Premises: Loluli's Fire & Fish presents Lucky Fish - 43 St Andrews Road, EX8 1AR
Ward: Exmouth Town
Name of Applicant: HOSPITALITY THIRTEEN LTD

Details of the application can be viewed on EDDC's website.

Date limit for comments: 15.10.26

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

- the prevention of crime and disorder
- public safety

- the prevention of public nuisance
- the protection of children from harm

iii. Notification of Premises Licence VARIATION Application received.
Ref No: 062667
Premises: Wings Bar – 33-35 Imperial Road, EX8 1DB
Ward: Town
Name of Applicant: Karen Matthews

Details of the application can be viewed on EDDC's website.

Date limit for comments: 19.10.26

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

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

---

8. Items for information

i. Tree Preservation Order
23/0044/TPO – Land at or adjacent to the former Rolle College Playing Fields, Douglas Avenue

Confirmation of variation of TPO, details attached.

ii. Tree Preservation Order
26/0034/TPO – Land at Withycombe RFC, Raleigh Park, Hulham Road
26/0035/TPO – Land West of Hulham Road

Confirmation of new TPOs, details attached.

iii. Notification of Time Limited Premises Licence Application received.
Ref No: 062705
Premises: Strand (The), EX8 1BR
Ward: Town
Name of Applicant: Exmouth Town Council

The above application has been submitted by the Town Council.

Details of the application can be viewed on EDDC's website.

iv. Notification of Tree Works considered an exemption to TPO 04/0002/TPO
Monterey, 22 Douglas Avenue

Copy letter attached for information.

9. East Devon District Council – Planning Decisions

Application	*Exmouth Town Council View*	*EDDC Decision*
26/0889/FUL 62 Camperdown Terrace	No objection	Conditional Approval
25/2303/MFUL Site of former Oil Petroleum & Gas Refinery Albion Hill	Objection	Refusal
26/1223/FUL Moorland Cottage Wrights Lane	No objection	Approval
26/1647/FUL 19 Rolle Street	No objection	Approval

DELEGATED REPORT

Application No: **26/1583/TRE**

Location: **14 Durham Close Exmouth**
Devon
EX8 5QU

Proposal: **T1, Turkey Oak : reduce the crown by up to 2m to suitable pruning points, retaining a balanced and natural crown form. The finished tree will have an approximate height of 10 metres, with a maximum pruning wound diameter of 65mm.**
T2, Oak : reduce the crown by up to 2m to suitable pruning points, retaining a balanced and natural crown form. The finished tree will have an approximate height of 8m, with a maximum pruning wound diameter of 65mm.
T3, Oak : reduce the crown by up to 2m to suitable pruning points, retaining a balanced and natural crown form. The finished tree will have an approximate height of 8m, with a maximum pruning wound diameter of 65mm.

Development Type: **TPO**

Date of Site Visit: **03.09.2026**

Consultation Period End Date: 04.09.2026

CONSULTATIONS

CONTRIBUTORS

Other Representations

OFFICER REPORT

The subject trees are part of a group of a group of trees lining Gorse lane and forming the western, rear boundary to the property. They are a valuable component of the street scene and contribute positively to urban greening.

The proposed works have been described in the application as: T1, Turkey Oak : reduce the crown by up to 2m to suitable pruning points, retaining a balanced and natural crown form. The finished tree will have an approximate height of 10 metres, with a maximum pruning wound diameter of 65mm.
T2, Oak : reduce the crown by up to 2m to suitable pruning points, retaining a balanced and natural crown form. The finished tree will have an approximate height of 8m, with a maximum pruning wound diameter of 65mm.
T3, Oak : reduce the crown by up to 2m to suitable pruning points, retaining a balanced and natural crown form. The finished tree will have an approximate height of 8m, with a maximum pruning wound diameter of 65mm.

The oak trees have been previously pruned to restrict their size, and the proposed works are essentially a repetition of the previous pruning. The works are considered reasonable management to prevent the trees from becoming overbearing, the rear garden being of modest site, and if the works are carried out carefully the trees will not be adversely

impacted. Conditions will be applied to ensure the works are undertaken in an appropriate manor.

CONCLUSION

Permit the proposed works

RECOMMENDATION

APPROVE subject to the following conditions:

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. The pruning to the oak trees hereby permitted shall be limited to 5cm maximum diameter pruning cuts. Reason: to ensure the works are not excessive, to ensure the works accord with good arboricultural practice, and to ensure the works do not the harm the appearance of the trees.

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).

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

Statement on Human Rights and Equality Issues

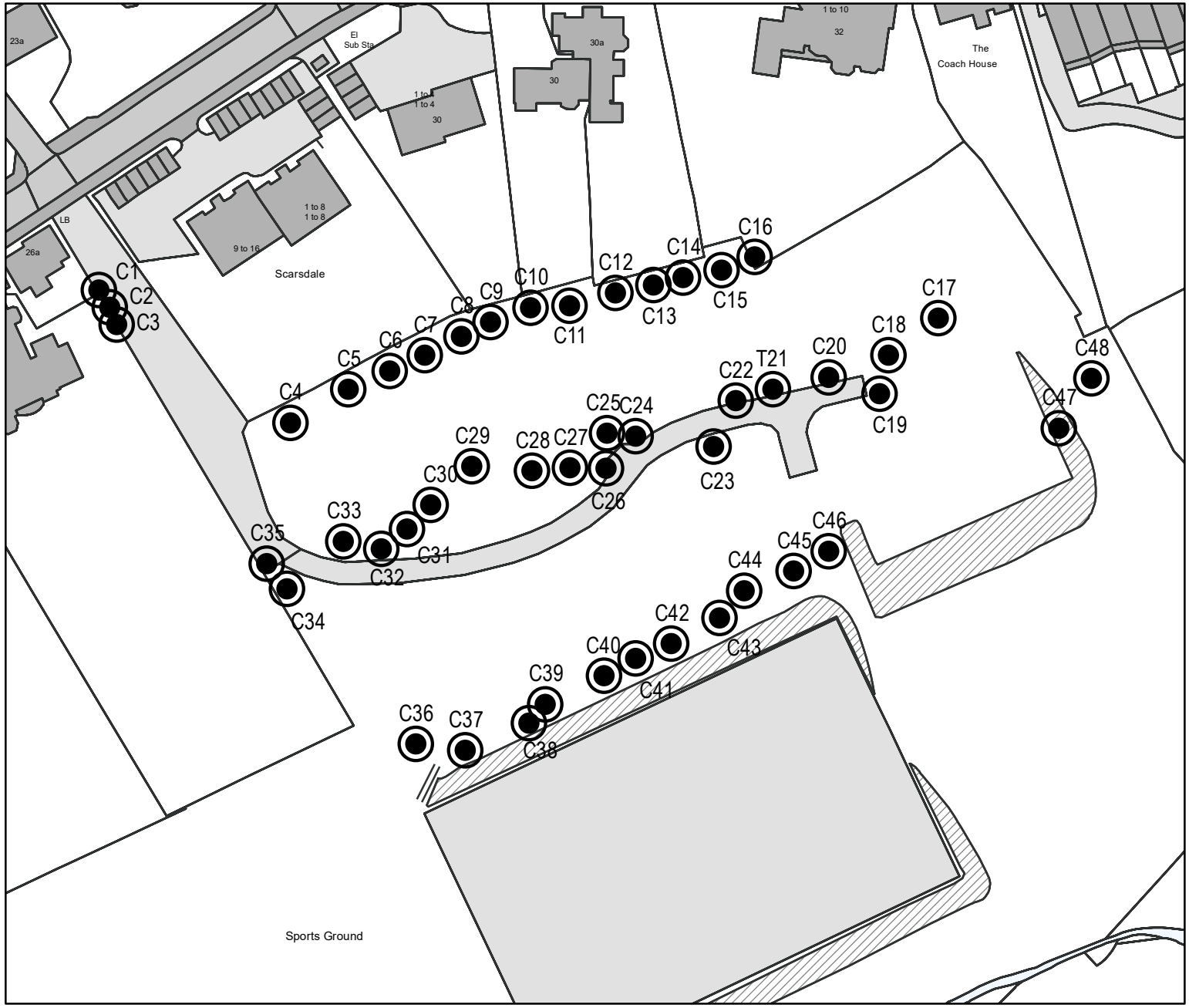
DELEGATED REPORT

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.

East Devon District Council Tree Preservation Order 23/0044/TPO

Land at or adjacent to the former Rolle College



1:1,250 0 12.5 25 50 Metres

East Devon District Council

Key

- Tree
- Area
- Group
- Wood

Variation: The tree preservation order schedule has been updated to better reflect the tree species that were planted, and worthy of protection, with a view to making a new order.

Authorised Signature

22 September 2026



© Crown copyright and database rights 2024 Ordnance Survey AC0000809498

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

Town and Country Planning Act 1990
TREE PRESERVATION ORDER (NO. 23/0044/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. 23/0044/TPO, "Land at or adjacent to the former Rolle College Playing Fields, Douglas Avenue, Exmouth", 27th September 2023.

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 27th September 2023.

(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 27 September 2023

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 ...22nd... day of ...September... ...2026...

under the reference number 24/0044/TPO - *The tree preservation order schedule has been updated to better reflect the tree species that were planted, and worthy of protection, with a view to making a new order.*



.....

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. 23/0044/TPO

LAND AT OR ADJACENT TO THE FORMER ROLLE COLLEGE PLAYING FIELDS, DOUGLAS AVENUE, EXMOUTH

REF. ON MAP	DESCRIPTION	SITUATION		
TREES SPECIFIED INDIVIDUALLY *(Encircled in a solid black line on map)*				
T1	Scots Pine	Centred on grid ref:	(E) 301296	(N) 80480
	Adj. St Cyr, 26, Douglas Avenue			
T2	Scots Pine	Centred on grid ref:	(E) 301298	(N) 80477
	Adj. St Cyr, 26, Douglas Avenue			
T3	Scots Pine	Centred on grid ref:	(E) 301300	(N) 80473
	Adj. St Cyr, 26, Douglas Avenue			
T4	Hornbeam	Centred on grid ref:	(E) 301337	(N) 80452
	r/o Plot 1			
T5	Apple	Centred on grid ref:	(E) 301349	(N) 80459
	r/o Plot 2			
T6	Hornbeam	Centred on grid ref:	(E) 301358	(N) 80463
	r/o Plot 3			
T7	Apple	Centred on grid ref:	(E) 301366	(N) 80466
	r'o Plot 3			
T8	Rowan	Centred on grid ref:	(E) 301374	(N) 80470
	r/o Plot 4			
T9	Apple	Centred on grid ref:	(E) 301380	(N) 80473
	r/o Plot 4			
T10	Cherry	Centred on grid ref:	(E) 301388	(N) 80476
	r/o Plot 5			
T11	Rowan	Centred on grid ref:	(E) 301397	(N) 80477
	r/o Plot 5			
T12	Rowan	Centred on grid ref:	(E) 301407	(N) 80480
	r/o Plot 6			

T13	Lime	Centred on grid ref:	(E) 301415	(N) 80481
r/o Plot 7				
T14	Cherry	Centred on grid ref:	(E) 301421	(N) 80483
r/o Plot 7				
T15	Apple	Centred on grid ref:	(E) 301429	(N) 80484
r/o Plot 8				
T16	Pear	Centred on grid ref:	(E) 301436	(N) 80487
r/o Plot 8				
T17	Rowan	Centred on grid ref:	(E) 301472	(N) 080473
f/o Plot 10				
T18	Cherry	Centred on grid ref:	(E) 301465	(N) 80466
f/o Plot 9				
T19	Pear	Centred on grid ref:	(E) 301463	(N) 80458
f/o Plot 14				
T20	Rowan	Centred on grid ref:	(E) 301452	(N) 80461
f/o Plot 8				
T21	Pear	Centred on grid ref:	(E) 301440	(N) 80459
f/o Plot 8				
T22	Pear	Centred on grid ref:	(E) 301432	(N) 80457
f/o Plot 7				
T23	Apple	Centred on grid ref:	(E) 301428	(N) 80447
f/o Plot 16				
T24	Whitebeam	Centred on grid ref:	(E) 301411	(N) 80449
f/o Plot 6				
T25	Apple	Centred on grid ref:	(E) 301405	(N) 80450
f/o Plots 5 and 6				
T26	Apple	Centred on grid ref:	(E) 301405	(N) 80442
E end of community garden				
T27	Apple	Centred on grid ref:	(E) 301397	(N) 80442
E side of community garden, in fore of Plot 5				
T28	Apple	Centred on grid ref:	(E) 301389	(N) 80441
E side of community garden, fore of Plot 4				
T29	Rowan	Centred on grid ref:	(E) 301376	(N) 80442
N and centre of community garden				

T30	Apple	Centred on grid ref:	(E) 301367	(N) 80434
W side of community garden, fore of Plot 3				
T31	Apple	Centred on grid ref:	(E) 301362	(N) 80429
W side of community garden, fore of Plot 2				
T32	Apple	Centred on grid ref:	(E) 301356	(N) 80425
W end of community garden				
T33	Rowan	Centred on grid ref:	(E) 301348	(N) 80426
f/o Plot 1				
T34	Strawberry tree	Centred on grid ref:	(E) 301336	(N) 80416
f/o and NW of Plot 23				
T35	Cherry	Centred on grid ref:	(E) 301332	(N) 80422
NW of T34				
T36	Hawthorn	Centred on grid ref:	(E) 301364	(N) 80383
Abutting r/o Plot 22				
T37	Apple	Centred on grid ref:	(E) 301374	(N) 80382
Abutting r/o Plot 21				
T38	Cherry	Centred on grid ref:	(E) 301388	(N) 80388
Abutting r/o Plots 20 - 21				
T39	Apple	Centred on grid ref:	(E) 301392	(N) 80391
Abutting r/o Plot 20				
T40	Cherry	Centred on grid ref:	(E) 301404	(N) 80398
Abutting r/o Plots 19 - 20				
T41	Apple	Centred on grid ref:	(E) 301411	(N) 80401
Abutting r/o Plot 19				
T42	Cherry	Centred on grid ref:	(E) 301419	(N) 80404
Abutting r/o Plots 18 - 18				
T43	Rowan	Centred on grid ref:	(E) 301429	(N) 80410
Abutting r/o Plot 18				
T44	Hawthorn	Centred on grid ref:	(E) 301434	(N) 80416
Abutting r/o Plot 17				
T45	Scots Pine	Centred on grid ref:	(E) 301445	(N) 80420
Abutting r/o Plot 16				
T46	Scots Pine	Centred on grid ref:	(E) 301452	(N) 80424
Abutting r/o Plot 16, adj. access road				

T47	Rowan	Centred on grid ref:	(E) 301502	(N) 80451
	Abutting r/o Plot 12			
T48	Lime	Centred on grid ref:	(E) 301509	(N) 80461
	Abutting r/o, and SE, of Plot 12			

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).

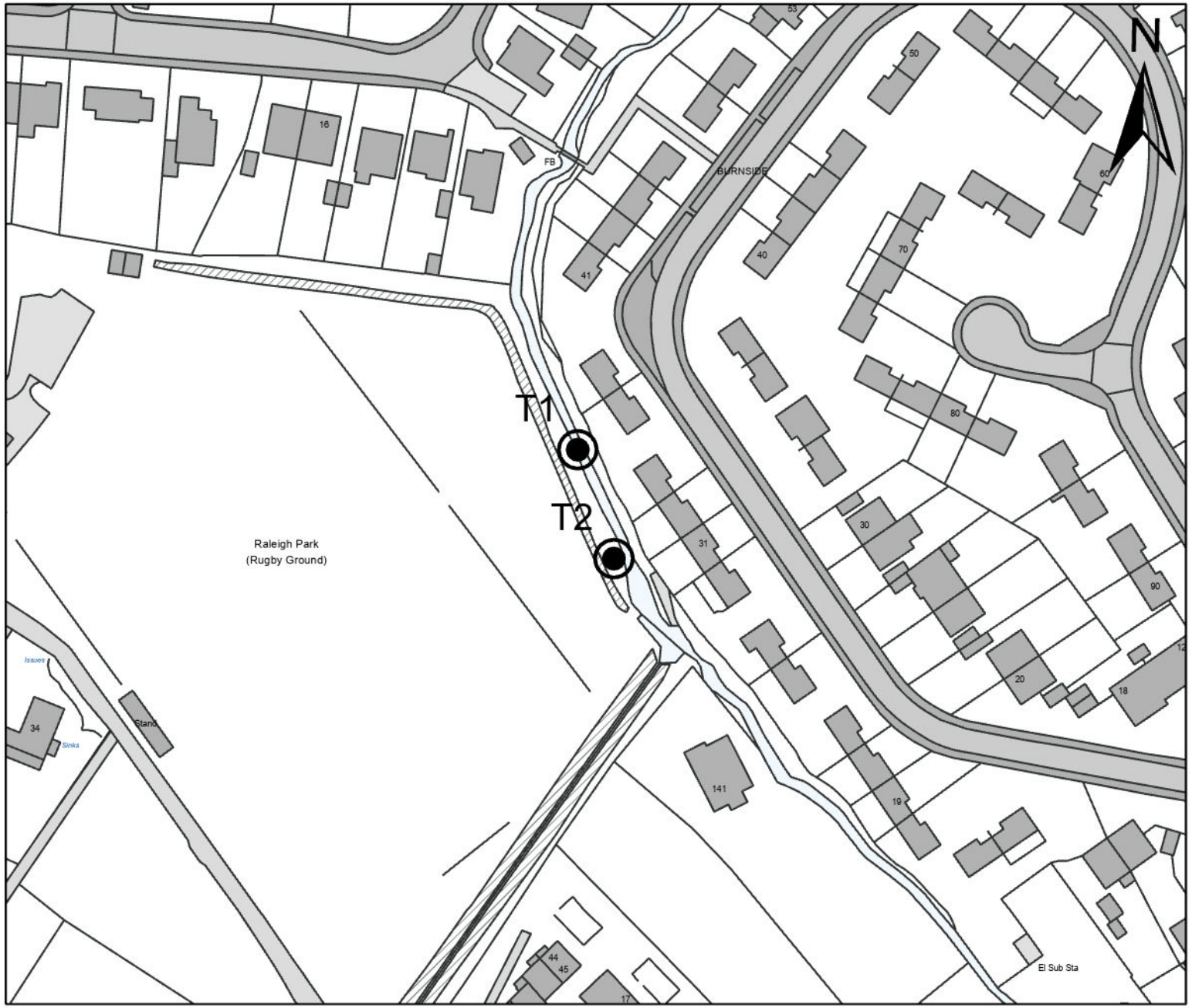
Regulation 26 revokes the Town and Country Planning (Trees) Regulations 1999, the Town and Country Planning (Trees) (Amendment) (England) Regulations 2008 and the Town and Country Planning (Trees) (Amendment No.2) (England) Regulations 2008, subject to transitional, transitory and saving provisions in 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 26/0034/TPO

Land at Withycombe RFC, Raleigh Park, Hulham Road, Exmouth



1:1,250

0 12.5 25 50 Metres

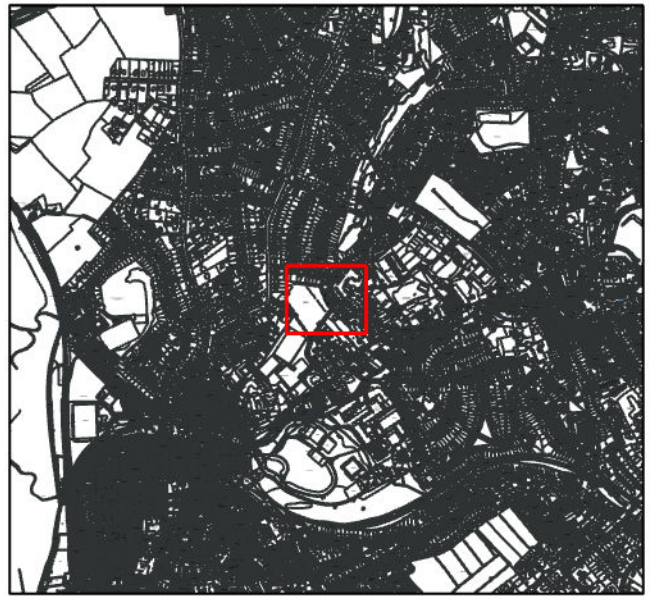
East Devon District Council

Key

- Tree
- Area
- Group
- Wood

Authorised Signature

21 September 2026



© Crown copyright and database rights 2026 Ordnance Survey AC0000809498

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

Town and Country Planning Act 1990
TREE PRESERVATION ORDER (NO. 26/0034/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. 26/0034/TPO, "Land at Withycombe RFC, Raleigh Park, Hulham Road, Exmouth", 21st September 2026.

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 21st September 2026.

(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 21 September 2026

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. 26/0034/TPO

LAND AT WITHYCOMBE RFC, RALEIGH PARK, HULHAM ROAD, EXMOUTH

REF. ON MAP	DESCRIPTION	SITUATION		
TREES SPECIFIED INDIVIDUALLY *(Encircled in a solid black line on map)*				
T1	Lombardy Poplar	Centred on grid ref:	(E) 300804	(N) 082098
T2	Lombardy Poplar	Centred on grid ref:	(E) 300811	(N) 082075

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).

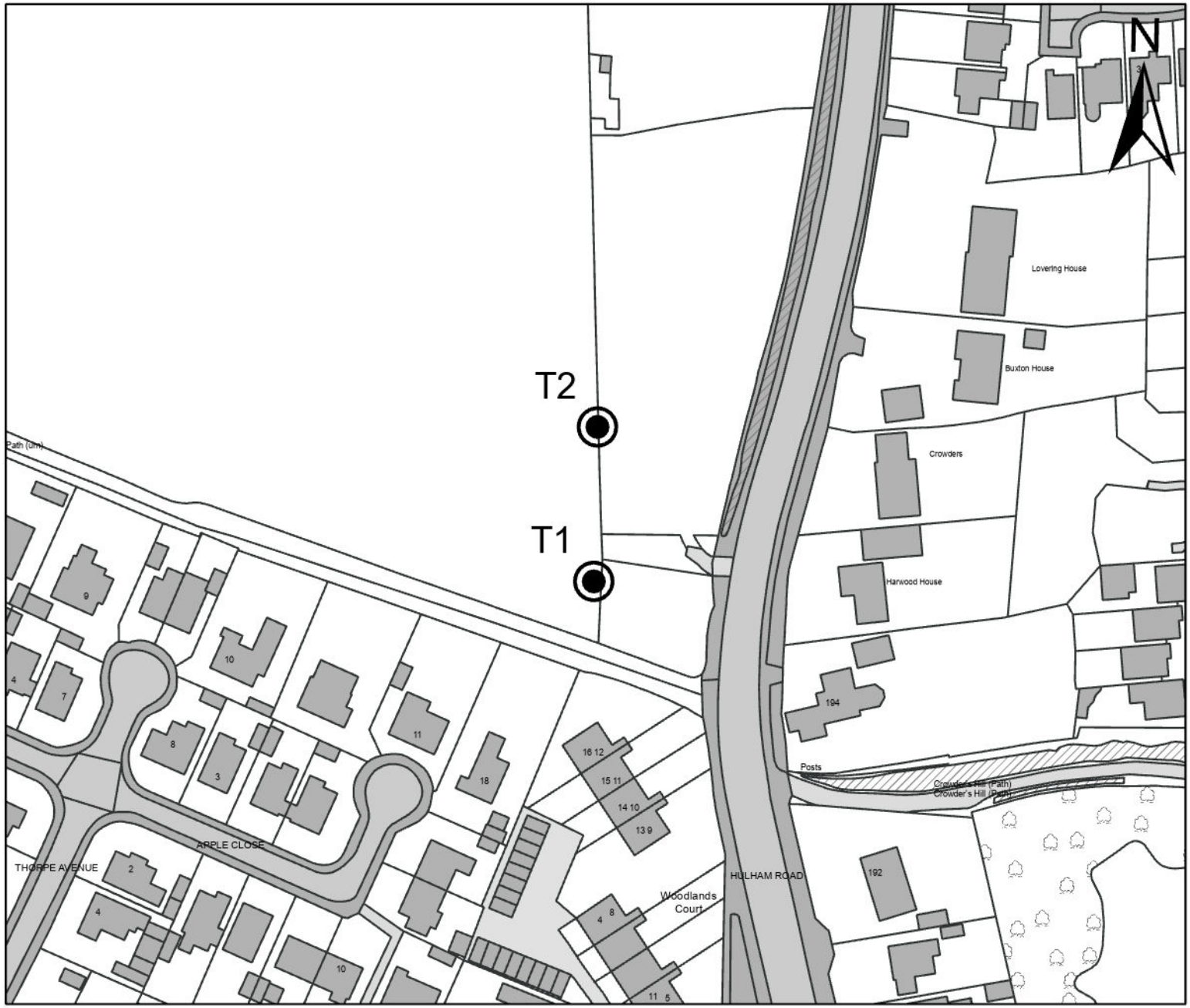
Regulation 26 revokes the Town and Country Planning (Trees) Regulations 1999, the Town and Country Planning (Trees) (Amendment) (England) Regulations 2008 and the Town and Country Planning (Trees) (Amendment No.2) (England) Regulations 2008, subject to transitional, transitory and saving provisions in 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 26/0035/TPO

Land West of Hulham Road, Exmouth



East Devon District Council

Key

- Tree
- Area
- Group
- Wood

Authorised Signature

21 September 2026



1:1,250

0 12.5 25 50 Metres

© Crown copyright and database rights 2026 Ordnance Survey AC0000809498

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

Town and Country Planning Act 1990
TREE PRESERVATION ORDER (NO. 26/0035/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. 26/0035/TPO, "Land West of Hulham Road, Exmouth", 21st September 2026.

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 21st September 2026.

(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 21 September 2026

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. 26/0035/TPO

LAND WEST OF HULHAM ROAD, EXMOUTH

REF. ON MAP	DESCRIPTION	SITUATION	

TREES SPECIFIED INDIVIDUALLY
(Encircled in a solid black line on map)

T1	Oak	Centred on grid ref:	(E)	(N)
T2	Oak	Centred on grid ref:	(E)	(N)

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.

Date: 16 September 2026
Contact number: 01404 515616
Extension number:
E-mail: trees@eastdevon.gov.uk
Our Reference: **26/1870/PRETDD**

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

DX48808 Honiton

Tel: 01395 516551

www.eastdevon.gov.uk

Dartmoor Tree Surgeons
Axehayes Barn
Clyst St Mary
Exeter
EX5 1GA

Dear Anthony Arrow

Notification of Tree works considered an exemption to TPO 04/0002/TPO
Address: Monterey, 22 Douglas Avenue, Exmouth

Thank you for advising the Council that you would like to carry out works to which you consider to be an exemption to the usual requirements of the tree protection legislation.

The works are: T4 - Monterey Pine, remove 3x dead limbs; T5 - Black Pine, remove deadwood; G7 - Remove dead tree.

The works in question are considered to be an exception from the normal requirement to seek the consent of this Council under Regulation 14 of the Town and Country Planning (Tree Preservation)(England) Regulations 2012. This regulation of the Act provides for works to be carried out on dead and dangerous trees (or parts of trees) in the interests of safety.

There is no replanting required.

Yours sincerely

Arboricultural Team
Countryside Service

Copy to: The Clerk to Exmouth Town Council
Councillors Nick Hookway, Brian Bailey, Anne Hall
Tree Warden Helen Bennett
Land Charges

Informatives:

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 6003078 or 0300 0601110 (Exeter Office). Further advice on bats is available from The Bat Conservation Trust (0845 1300228).

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 Rd, Heathpark Ind Estate, Honiton EX14 1EJ or can be purchased from the BSI Shop on the website www.bsigroup.com/shop.