

MINUTES

OF SIDMOUTH TOWN COUNCIL'S

PLANNING COMMITTEE MEETING

HELD ON

WEDNESDAY, 14TH MAY, 2008.

AT 6.30 P.M.

WOOLCOMBE HOUSE, SIDMOUTH

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| Members present:- | Councillor | I.J. McKenzie-Edwards (Chairman) |
| | “ | P. Sullivan (Vice-Chairman) |
| | “ | S.J. Brokenshire |
| | “ | T.J. Cox |
| | “ | J.G.T. Dyson |
| | “ | J.W. Hollick |
| | “ | Mrs M. Jolly |
| | “ | Mrs L. Kelly |
| | “ | J. Turner |
| | “ | C.H. Wale |

08:5/P1 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor Cox and seconded by Councillor Sullivan that Councillor Gibbings be elected Chairman of the Planning Committee for the forthcoming year.

There being no other nominations, Councillor Gibbings was duly elected Chairman of the Planning Committee for the forthcoming year.

08:5/P2 APPOINTMENT OF VICE-CHAIRMAN

It was proposed by Councillor Sullivan and seconded by Councillor Brokenshire that Councillor McKenzie-Edwards be elected as Vice-Chairman of the Planning Committee for the forthcoming year.

There being no other nominations, Councillor McKenzie-Edwards was duly elected Vice-Chairman of the Planning Committee for the forthcoming year.

08:5/P3 APOLOGIES

Apologies for absence were received from Councillors Mrs Carr, C.F.A. Gibbings, G.K. Liverton, S.P. Pollentine and Mrs F.I. Newth.

Councillor S. Hughes was absent from the meeting.

In the absence of Councillor Gibbings, it was agreed that Councillor McKenzie-Edwards should act as Chairman and Councillor Sullivan act as Vice-Chairman.

08:5/P4 DECLARATIONS OF INTEREST

Declarations of Interest were received as follows:-

08:5/P7 08/1084 & 08/1085/LBC Cllr Hollick *Personal – (Knows Applicants' parents)*

08:5/P5 DISTRICT COUNCIL MEMBERS

It was formally noted that the participation of those Councillors who are also members of the East Devon District Council in both the debate and subsequent vote was on the basis that the views expressed were preliminary views taking account of the information presently made available to the Town/Parish Council. The District Councillors reserved their final views on the application until they were in full possession of all the relevant arguments for and against.

08:5/P6 EAST DEVON DISTRICT COUNCIL TREE OFFICER.

Mr David Coleman, East Devon District Council's Tree Officer, attended the meeting to give a presentation on his role and responsibility for trees in East Devon. Mr Coleman answered many varied questions from Members, plus the issues raised in a letter from Dr. Duncan Hall.

08:5/P7 APPLICATIONS FOR CONSIDERATION

Resolved That in respect of the Planning Applications set out below and attached, representations to the manner in which they should be determined, be made known to the East Devon District Council in accordance with schedule 16 of the Local Government Act 1972.

AMENDED PLANS

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| 08/0855/LBC | MR G FALLOWS | ST GEORGES, PAUNTLEY, COTMATON ROAD, SIDMOUTH. Provision of lead cladding on dormers and revisions to internal layout. |
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APPROVE

APPLICATIONS FOR CONSIDERATION

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|-------------|--------------|---|
| 08/0959/COU | MR G SYMONDS | THE DOVE, DOVE LANE, SIDMOUTH. Change of use of ground floor from public house to adult amusement centre. |
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REFUSE

PPG6 covers Amusement Centres in Annex D and sets out the Government's policy on the location of amusement centres. Annex D states :-

- Noise and general disturbance, which depend partly upon the kind of amusement proposed and the expected clientele, greatly affect amenity.
- Account should be taken of the likely impact on the neighbourhood of disturbance generated, if for example an amusement centre were to become a focal point for gathering of young people.
- Amusement centres are most appropriately sited in secondary shopping areas, or in areas of mixed commercial development. They are unlikely to be accepted in primary shopping areas, or close to hotels.
- An amusement centre which is likely to affect visual amenity or cause noise or disturbance will normally be out of place, especially in a Conservation Area or other places of special architectural or historic character.

The Town Council consider that all of the above are appropriate in the recommendation for refusal and would add

- The approval of this application will create a threat to Sidmouth's economic environment whose tourism industry depends primarily on image.
- There will be a major impact on the vitality and viability of the Conservation Area.
- There is no proven need – as machines of this type are already sited in Betting Shops and Pubs within the town.
- There will be a possible creation of anti-social behaviour, plus public order issues.
- This application if approved will set an unacceptable precedent.
- Visual amenity will be affected by signage which will obviously be required.

- In light of recent smoking bans a nuisance will be created on very narrow footways and nearby food outlets will be affected.
- The comparison to a former pub cannot be substantiated as a Pub is a 'social' place and this adult centre will not.
- The number of machines has not been identified.

Taking all the above into account the Town Council feels strongly that this application must be refused. The previous permission for retail units (07/2471/FUL) would be much preferred.

Note: The Town Council would hope that this contentious application be taken to Committee at EDDC.

(14 letters of objection were received)

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| 08/1053/FUL | MILLER & SON LTD | FITZALAN HOUSE, OLD FORE STREET, SIDMOUTH. Erection of dwelling at rear. |
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APPROVE

- Provided the red brick and materials match nearby properties.
- Top windows should not be above eaves for the sake of symmetry with the next door property.

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| 08/1056/LBC | MILLER & SON LTD | FITZALAN HOUSE, OLD FORE STREET, SIDMOUTH. Demolish boundary wall fronting Church Lane. Erection of dwelling at rear. |
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APPROVE

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| 08/1055/FUL | MR & MRS BARGER | 69 PRIMLEY ROAD, SIDMOUTH. First floor rear extension. |
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REFUSE

Even though an attempt has been made to alter the roof line, the Town Council still considers this design to be incongruous and detrimental to the street scene.

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| 08/1059/FUL | MR & MRS R. MITCHELL | 12 GLEBELANDS, SIDMOUTH. Alterations to existing porch and conservatory. |
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APPROVE

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| 08/1061/LBC | MR J BYGOTT WEBB | 34 CHURCH STREET, SIDBURY. Remove unsafe wall and rebuild. |
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APPROVE

08/1069/FUL DR & MRS PEPPER AMBERLEY,
LAND ADJACENT,
89 HIGH STREET,
SIDFORD.
New detached house and garage.

APPROVE
(1 letter of objection received)

08/1084/FUL MR & MRS JENKINS 12 COTFORD ROAD,
SIDBURY.
Alterations and extension at first floor to
provide additional bedroom.

APPROVE
(Cllr Hollick declared an interest)

08/1085/LBC MR & MRS JENKINS 12 COTFORD ROAD,
SIDBURY.
Alterations and extension at first floor to
provide additional bedroom.

APPROVE
(Cllr Hollick declared an interest)

08/1110/LBC MR C PLOWDEN SEACOURT,
SEAFIELD ROAD,
SIDMOUTH.
Demolish random rubble flint stone wall
to create access and hardstanding.
Reconstruction of stone pier in matching
stone.

APPROVE

08/1118/FUL ST NICHOLAS CHURCH OF ENGLAND JUNIOR SCHOOL ST NICHOLAS CHURCH OF ENGLAND JUNIOR SCHOOL,
55 WOOLBROOK ROAD,
SIDMOUTH.
Conversion of existing school store room
into small classroom including new
windows and doors.

APPROVE
The Town Council hope that every effort will be made to protect the amenity of neighbours.

08:5/P8 **PLANNING AUTHORITY – CONFLICTING DECISION**
Planning Application No. 07/2819/LBC
2 Hillside View, Church Street, Sidford, Sidmouth.
Retention of rear conservatory.
TOWN COUNCIL DISTRICT COUNCIL
APPROVE REFUSE

08:5/P9 **ENFORCEMENT LETTERS**

08:5/P9.1 Planning Application No. 07/2819/LBC
2 Hillside View, Church Street, Sidford.
Retention of rear conservatory.

The Clerk reported a letter from East Devon District Council in connection with the above application which had been considered by the Planning Authority to be an incongruous addition to a modest c18/c19 thatched cottage. Its overall form, design, materials and method of opening of the windows were considered unacceptable for an extension to a listed building.

As the application had been refused and the conservatory still remain in situ, it was the intention to refer the matter to the head of Planning and Countryside Services under the delegated procedure with a view to seeking authorisation for the necessary legal action to secure the removal of the conservatory and the views of the Town Council were sought as to whether it was considered to be expedient to instigate enforcement action or not.

It was recommended that a letter be sent to the Planning Authority suggesting that in this instance enforcement action should not be taken. However, if in the future the property changes hands, the conservatory should then be removed.

08:5/P9.2 59 Arcot Park, Sidmouth. – Provision of a hardstanding for off street parking.

The Clerk reported a letter from East Devon District Council in connection with the provision of a hard standing at 59 Arcot Park, Sidmouth, the retention of which required planning permission as the work involved constituted an engineering operation.

With a view to regularising the matter, the owner had been requested to apply for the necessary permission within 28 days.

08:5/P9.3 Ash Meadows Farm, Sidbury – Caravan.

The Clerk reported a letter from East Devon District Council concerning works currently being undertaken to construct a barn at the above location in accordance with planning application number 06/3041/FUL and the temporary siting of a caravan adjacent to the building site.

The District Council advised that the caravan can remain until such time as the barn has been completed but the Planning Authority would like to be advised as soon as the work has been completed and the caravan removed.

08:5/P9.4 Browns Wine Bar, 33 Fore Street, Sidmouth – Flue.

The Clerk reported a letter from East Devon District Council in connection with a large stainless steel flue projecting through the rear wall of the above premises, a Grade II listed building the retention of which required the benefit of planning permission.

With a view to regularising the matter the owner had been requested to apply for the necessary permission within 28 days.

08:5/P10 **MATTERS OF REPORT**

08:5/P10.1 Tree works at Cedar Shade, All Saints Road, Sidmouth.

The Clerk reported an email from East Devon District Council's Arboricultural Officer informing that essential works exempt from the normal requirements of tree protection legislation will be undertaken on Wednesday, 28th May, 2008, to remove foliage which overhangs the public footpath and highway.

08:5/P10.2 Proposed tree felling at Byes Lane, Sidford.

The Clerk reported an email from East Devon District Council's Senior Arboricultural Officer informing that Dartmoor Tree Surgeons would be carrying out initial site clearance of trees not covered by the Tree Preservation Order and then be erecting the protective Heras Fencing.

08:5/P10.3 Planning Application No. 06/1280/FUL
Wray House, Cotmaton Road, Sidmouth.
Increase roof pitch and alterations to garage/office to form annex.

The Clerk reported a letter from East Devon District Council in respect of minor amendments to the above approved plans:-

- Retention of existing office floor, door and windows.
- Omission of porch and terrace.

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CHAIRMAN OF THE PLANNING COMMITTEE