

**MINUTES OF**

**SIDMOUTH TOWN COUNCIL'S**

**PLANNING COMMITTEE MEETING**

**HELD ON**

**WEDNESDAY, 2<sup>ND</sup> DECEMBER, 2009.**

**AT 6.30. P.M.**

**WOOLCOMBE HOUSE, WOOLCOMBE LANE,**

**SIDMOUTH, DEVON.**

Members present: - Councillor J.W.Hollick (Chairman)  
“ J.G.T. Dyson (Vice-Chairman)  
“ S.J. Brokenshire  
“ Mrs S. Carr  
“ Mrs M. Jolly  
“ Mrs L. Kelly  
“ S.P. Pollentine  
“ J. Turner

**09:12/P1 APOLOGIES**

Apologies for absence were received from Councillors I.J. McKenzie-Edwards, Dr D.S. Fung, G.K. Liverton, Mrs F.I. Newth, A.W.J. Reed, P. Sullivan and C.H. Wale

Cllr Hughes was absent from the meeting.

In the absence of Councillor McKenzie-Edwards, Councillor Hollick acted as Chairman and Councillor Dyson acted as Vice-Chairman.

**09:12/P2 DECLARATIONS OF INTEREST**

Declarations of Interest were received from:-

09:12/P4 09/1991/FUL Town Clerk *Personal - Related to Applicant*

**09:12/P3 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.

**09:12/P4 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.

Town and Parish Councils are Statutory Consultees to the Local Planning Authority and as such do not make decisions apart from applications for advertising consents and trees. The Town Council's Planning Committee is required to make known its willingness to support, or not, planning applications based on local knowledge and current planning policies in order that these views can be taken into account when the decision is made by the District Council as Planning Authority.

**Amended plans**

09/1991/FUL                      MR A JARRETT                      4 RIDGEWAY MEAD,  
SIDMOUTH.  
Single and two storey extension, new  
dormer window and retention of change  
of use of land of garden.

Support

*(The Town Clerk declared an interest)*

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**Applications for consideration**

09/2131/COU                      MR ANDREAS GIENCKE                      1 – 2 MILL STREET,  
SIDMOUTH.  
Change of use of former job centre to  
dental practice with associated alterations.

Support

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09/2255/FUL                      MR DEREK KNIGHTS                      POUNDS COURT,  
HARCOMBE.  
Erection of replacement garage.

Support

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Councillor Turner arrived at the meeting during discussion of the next item.

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09/2269/FUL                      MR & MRS J COOMBES                      THATCHES,  
CORE HILL ROAD,  
SIDMOUTH.  
Erection of single storey side extension  
and detached garage.

Unable to support.

The pitch of the roof on the extension and garage should be lowered to protect the amenity of Bay Tree Cottage.

(1 letter of objection received)

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09/2287/FUL                      MR JIM MCLACHLAN                      LYMEBOURNE HOUSE,  
LYMEBOURNE PARK,  
SIDMOUTH.  
Installation of air condition unit with  
external condenser.

Support

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09/2288/LBC                      MR JIM MCLACHLAN                      LYMEBOURNE HOUSE,  
LYMEBOURNE PARK,  
SIDMOUTH.  
Installation of air condition unit with  
external condenser.

Support

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09/2300/FUL                      MR W BARNES                      5 LADYMEAD,  
SIDMOUTH.  
Proposed two storey side extension.

Support

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09/2083/TRE                      MR TWYBEL                      FARTHING WOOD,  
BROADWAY,  
SIDMOUTH.  
1 Parrotia : Lift to 1.5 metres and shorten  
crown back by 1 metre.  
Approve subject to the comments made in the Arboricultural Officer's Report.

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09/2118/TRE                      MRS WOODWARD                      EAST OF FLAT 10,  
WITHEBY,  
SIDMOUTH.  
1 Monterey Pine : Remove broken  
branches from northern stem. Thin  
easterly stem by one third. Attach two  
steel cables from easterly stem to  
northerly and southerly stem.  
Approve subject to the comments made in the Arboricultural Officer's Report.

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09/2184/TCA                      MR T DOBSON                      MAPLE HOUSE,  
BICKWELL VALLEY,  
SIDMOUTH.  
1 Maple and 1 Willow : Reduce height by  
two metres and side branches by one  
metre.  
Approve subject to the comments made in the Arboricultural Officer's Report.  
Encourage the applicant to remove the Contorted Willow to leave the more prominent Sweet Gum

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09/2194/TCA                      MR DENTON                      3 ABBEY VIEW,  
SIDMOUTH.  
2 Robinia : 15% crown reduction via  
thinning. 2 Mimosa : Fell.  
Approve subject to the comments made in the Arboricultural Officer's Report.

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**09:12/P5                      UNSUPPORTED DECISIONS**  
No unsupported decisions were received.

**09:12/P6                      ENFORCEMENT LETTERS**

09:12/P6.1                      Land at the Bowd, Sidmouth – Unauthorised advertisement.

The Clerk reported a letter from East Devon District Council in connection with the unauthorised display of an advertisement displayed on a vehicle on land at The Bowd, Sidmouth, in connection with the business and sale of logs. Under the terms of the Town and Country Planning (Control of Advertisements) Regulations 2007 Class C of the Regulations permits the display of advertisements on or in a vehicle, provided that the vehicle is not:-

- (a) Normally employed, except as a moving vehicle, or
- (b) Used principally for the display of advertisements.

East Devon District Council considered that it was evident this vehicle was being used principally for the display of an advertisement and requested that it be removed by 9am on Friday 13 November 2009.

On Monday 16 November 2009, the vehicle had been removed from its position on top of the bank adjacent to the hedge and was now parked in the gateway. On Tuesday 17 November 2009, the vehicle remained parked in the lay-by and the advertisement banner attached to the vehicle was clearly being displayed and therefore the vehicle was being principally used for the display of an advertisement. From inspection of the vehicle, it is quite evident that it is not taxed or road worthy. Under Section 224 of the Town and Country Planning Act 1990 it is an offence to display such an advertisement in contravention of the Regulations.

With a view to regularising the matter the owner had been requested to cease this unauthorised advertisement display and remove the advertisement from the land, and ensure that it is not displayed again within the District of East Devon District Council by 9.00 am on Tuesday, 24 November 2009. Failure to comply with this request would leave the District Council no alternative but to instigate legal action.

09:12/P6.2      35 Ladymead, Sidmouth.  
Untidy condition of rear garden.

The Clerk reported a letter from East Devon District Council regarding the condition of the garden at 35 Ladymead, Sidmouth.

Photographs had been submitted to the District Council showing the rear garden of the property to be very overgrown. Under current planning legislation the Local Planning Authority could initiate enforcement action where the site is considered to be in such a poor condition that it is having a detrimental impact on the appearance and amenity of the surrounding area. However, having assessed the situation and discussed the matter with Senior Officers, the land in question is not in a condition that warrants any further enforcement action being taken.

However, the District Council explained that in order to prevent any further action being taken in the future it is necessary to ensure the land is retained in a managed condition.

09:12/P6.3      Kennaway House, Coburg Road, Sidmouth.  
Unauthorised advert.

The Clerk reported a letter from East Devon District Council in connection with the unauthorised display of a large hoarding sign being displayed at the entrance to Kennaway House, Sidmouth.

From an inspection of records it is noted that an application regarding this matter is still awaited and it is understood that the unauthorised sign remains in situ. Unless the District Council hears from the occupiers by 4 January 2010, the matter will be reported to that Council's Development Management Committee under delegated procedure. Its decision may be to authorise that legal action is taken to resolve this matter.

**09:12/P7      MATTERS OF REPORT**

No matters of report were received.

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**CHAIRMAN OF THE PLANNING COMMITTEE**