

MINUTES OF

SIDMOUTH TOWN COUNCIL'S

PLANNING COMMITTEE MEETING

HELD ON

WEDNESDAY, 17TH MARCH, 2010.

AT 6.30. P.M.

WOOLCOMBE HOUSE, WOOLCOMBE LANE,

SIDMOUTH, DEVON.

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

10:03/P9 APOLOGIES

Apologies for absence were received from Councillors Mrs Carr, Dr. Fung and Mrs Newth. Councillor S. Hughes was absent from the meeting.

10:03/P10 DECLARATIONS OF INTEREST

No Declarations of Interest were received as follows:-

10:03/P12	10/0404/FUL	Cllr Hollick	<i>Personal – Near neighbour.</i>
10:03/P12	10/0486/COU	All Members of STC	<i>Pecuniary – Trustee.</i>
10:03/P12	10/0333/FUL	G.K. Liverton	<i>Pecuniary – Employee of Knight's.</i>
10:03/P12	10/0335/LBC	G.K. Liverton	<i>Pecuniary – Employee of Knight's.</i>
10:03/P12	10/0333/FUL	S.P. Pollentine	<i>Personal – Friend of Owner.</i>
10:03/P12	10/0335/LBC	S.P. Pollentine	<i>Personal – Friend of Owner.</i>
10:03/P12	10/0236/TRE	G.K. Liverton	<i>Personal – EDDC Councillor</i>
10:03/P12	10/0236/TRE	A.W.J. Reed	<i>Personal – EDDC Councillor</i>

10:03/P11 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.

10:03/P12 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.

Applications for consideration

10/0314/FUL	MR & MRS D ELLIOTT	WEST RIDGE, MOORCOURT CLOSE, SIDMOUTH. Extensions and alterations including raised entrance and rear terrace.
Support		
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10/0333/FUL	TRUST HOUSE SECURITIES	4 – 6 FORE STREET, SIDMOUTH. Alterations and change of use of upper floors to provide five self contained residential flats. Alterations to ground floor, including new shop fronts and change of use of No. 6 and part of No. 5 to A3 (Coffee Shop) from A1. Installation of air conditioning unit.
Support (1 letter of comment received)		
		<i>(Councillors G.K. Liverton and S.P. Pollentine declared an interest and left the Chamber)</i>
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10/0335/LBC	TRUST HOUSE SECURITIES	4 – 6 FORE STREET, SIDMOUTH. Alterations and extensions including conversion of upper floors to five flats and provisions of new shop fronts and air conditioning plant.
Support (1 letter of comment received)		
		<i>(Councillors G.K. Liverton and S.P. Pollentine declared an interest and left the Chamber)</i>
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10/0346/FUL	MR & MRS F TURBITT	5 HIGHER WOOLBROOK PARK, SIDMOUTH. Single storey rear kitchen extension.
Support		
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10/0391/FUL	P REVELL	LANACRE, KNOWLE DRIVE, SIDMOUTH. Single storey side and rear extension.
Support		
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10/0392/FUL	MR MATT BARRETT	7 LOWER GRIGGS, FORTESCUE ROAD, SIDMOUTH. Single storey and two storey extensions.
Support		
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10/0395/FUL	MR N KIRTON	BUCKLEY HILL COTTAGE, BRIDGE STREET, SIDBURY. Erect single storey annexe to replace shed.
Support Subject to a tie to Buckley Hill Cottage. <u>NOTE</u> : It might be more harmonious for the roof tiles to match those of the garage.		
10/0404/FUL	MRS D COOPER	THE RETREAT, GREENHEAD, SIDBURY. Alterations to existing vehicular access and public right of way.
Support <i>(Councillor J. Hollick declared an interest and left the Chamber)</i>		
10/0406/FUL	MR & MRS J McDONALD	THE LODGE, ICE HOUSE LANE, SIDMOUTH. Widening of drive and creation of parking area.
Support		
10/0422/FUL	MR AMOS	6 AMYATTS TERRACE, SIDMOUTH. Erection of single storey side extension.
Support Subject to the approval of the Conservation Officer.		
10/0423/LBC	MR AMOS	6 AMYATTS TERRACE, SIDMOUTH. Erection of single storey side extension.
Support Subject to the approval of the Conservation Officer.		
10/0486/COU	SIDMOUTH TOWN COUNCIL	CRICKET PITCH SHELTER, THE ESPLANADE, SIDMOUTH. Change of use of amenity building to Class D2 (youth drop in centre) for west wing and Class D1 (exhibition centre) for east wing.
Unable to comment. <i>(All Town Councillors declared an interest)</i>		

10/0236/TRE EAST DEVON DISTRICT COUNCIL EDDC DIRECT SERVICES ORGANISATION (THE DEPOT), EAST DEVON DISTRICT COUNCIL, KNOWLE, SIDMOUTH.
One Yew : Remove 2 branches.

Approve subject to the comments made in the Arboricultural Officer's Report.

(Councillors G.K. Liverton and A.W.J. Reed declared an interest)

10/0242/TCA MR WOODS MYRTLE LODGE, MILLFORD ROAD, SIDMOUTH.
One Beech : Reduce large eastern limb by 3 metres and remove 2 lowest side branches over lawn.
One Bay : Remove one stem overhanging neighbouring property.
One Sycamore : Pollard.
Woodland : Fell Elm trees and thin Sycamore stems by 40%.

Approve subject to the comments made in the Arboricultural Officer's Report.

(1 letter of comment received)

10/0255/TRE MR H J WEBSTER HEATHERS, KNOWLE DRIVE, SIDMOUTH.
One Blue Cedar : 15% crown reduction, reducing height by one metre.

Approve subject to the comments made in the Arboricultural Officer's Report.

10/0295/TCA MR WHARTON HIGHFIELD HOUSE, BICKWELL LANE, SIDMOUTH.
One Turkey Oak : Fell.
One Oak : Reduce specified branch by 2 metres.

Approve the split decision as per the comments made in the Arboricultural Officer's Report.

"T1, Turkey Oak: The tree to be made the subject of a Tree Preservation Order.

No objections be raised to:

T2, Common Oak: Prune back heavy branch over field by approximately 2m, subject to the following:

The works hereby authorised shall be carried out within a period of two years from the date of this decision."

NOTE : It was recommended that guidance be sought by the Applicant as to how best to protect the Turkey Oak.

(1 letter of comment received)

10/0342/TCA

MR WINSTONE

2 REGENCY GATE,
(REAR GARDEN),
SIDMOUTH.

Mimosa : 25% crown reduction via
thinning.

Approve subject to the comments made in the Arboricultural Officer's Report.

10:03/P13 UNSUPPORTED DECISIONS

No unsupported decisions had been received.

10:03/P14 ENFORCEMENT LETTERS

10:03/P14.1 Lidl UK Gmbh, Woolbrook Road, Sidmouth.

Unauthorised signage restricting the use of car park, contrary to section 106 agreement.

The Clerk reported a letter from East Devon District Council referring to a number of complaints that had recently been made regarding the display of unauthorised signage, which restricts the use of the car park at Lidl, Woolbrook Road, Sidmouth, contrary to a Section 106 Agreement.

When planning permission (reference: 97/P2058) was granted on 28th July 1999 for the Re-Development Of Former Bus Depot To Provide Retail Unit With Car Parking a Section 106 Agreement was also entered into between Lidl UK GmbH and the Local Planning Authority. This agreement stated that the car parking at the site was to be made available upon certain terms and conditions, which were:

“10.2.1 the Car Park shall only be available during the normal shopping opening hours (i.e. 8am to 6pm Monday to Saturday and 10am to 4pm on Sunday inclusive)

10.2.2 the use of the Car Park shall be subject to such reasonable conditions (excluding any charge or requirement to shop in the store trading upon the Development) of usage that the Developer shall impose which conditions shall be displayed in a prominent place in the Car Park

10.2.3 no person shall be entitled (without the consent of the Developer) to park their vehicle within the Car Park for a period in excess of 2 hours

10.2.4 Notwithstanding any other provisions of this Agreement this clause shall only subsist whilst the Land and the building can be lawfully used as a retail store.”

The District Council had recently been provided with evidence which showed that signs were now being displayed on the land which states that the Car Park is for “Customer Only Parking” and that the Car Park could be used between “Mon – Sat 7.00am – 8.00pm and Sunday 10.00am – 2.00pm”. It is the District Council's opinion that the display of these signs and the information on them was in breach of the aforementioned Agreement.

In the circumstances the District Council had requested that the aforementioned unauthorised signage be removed from the land and that the Car Park is operated in line with the Section 106 Agreement within the next fourteen days. Failure to comply may result in further action being taken.

10:03/P14.2 Land at Salcombe Regis – Advertisements Signs.

The Clerk reported a letter from East Devon District Council in connection with the display of two advertisements on land being advertised for sale and also acquired for potential development at Salcombe Regis.

Under the terms of the Town and Country Planning (Control of Advertisements) Regulations 2007, Class 3 B permits the display of not more than one advertisement consisting of a single board or two boards joined together advertising for sale, for letting, residential, agricultural or commercial use of the land. In this particular case, there were two sale boards being displayed. Furthermore, the two boards advertised the land 'For Sale' and that the land had been "acquired for potential development".

To date, planning permission had not been granted for development of this site and therefore the last comments relating to this land were inaccurate. The District Council asked the owner to ensure that only one of the boards be displayed and that the wording referring to the land being acquired for development be removed within 28 days.

10:03/P14.3 Southcombe Villas, Sidmouth – Boundary Wall/Fence.

The Clerk reported a letter from East Devon District Council concerning the stability of the boundary wall and the erection of a close boarded timber fence at Southcombe Villa, Sidmouth. The Planning Authority had been investigating the close boarded timber fence at Southcombe Villa which, under the terms of the Town and Country Planning (General Permitted Development) Order 1995, exceeded the permitted allowance. As a result a report on this matter was considered by the Chairman of the Development Management Committee on 3 March 2010, under the delegated procedure, when it was resolved to take no further action in this matter.

10:03/P14.4 Land at The Old Cider Barn – Timber building.

The Clerk reported a letter from East Devon District Council concerning the erection of a timber building on land referred to as The Old Cider Barn, Chelson Lane, Harcombe. Conditional planning permission (09/1313/FUL refers) was granted on 7 September 2009 for the erection of this timber building. One of the conditions imposed required that the building would only be used for agricultural purposes.

During a site inspection by the District Council the exterior of the building was inspected and he was satisfied that the works were in accordance with the approved plans as amended on 9 October 2009.

On inspection of the interior, except for a couple of picnic chairs and a table, as well as a caravan style toilet and kettle, there was little evidence of any non-agricultural use at this time. Work was still in progress and they were in the process of sorting out the land and the interior of the building. It was also noted that mains electric and water had been installed.

This matter had been discussed with the Assistant Development Manager, who recommended that the development be monitored, and a further site visit undertaken in approximately 6 weeks' time to establish whether the building had been completed and how it was then fitted out and in use.

10:03/P15 MATTERS OF REPORT

10:03/P15.1 Advertising boards

Councillor Liverton reported that there had been an increase in advertising boards and signage on pavements in the town and it was recommended that a letter be sent to Devon County Council expressing these concerns.

10:03/P15.2 Advertising fees.

It was agreed that East Devon District Council would be asked to relinquish to the Town Council some of the fees collected by them for advertising applications.

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CHAIRMAN OF THE PLANNING COMMITTEE