



SIDMOUTH TOWN COUNCIL

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To: All Members of the Planning Working Group
Town Clerk

7 March 2024

For Information:

Other Members of the Town Council
District Councillor for Sidmouth not on the Town Council
Sid Vale Association

Dear Sir/Madam,

**Meeting of Sidmouth Town Council's Planning Working Group
Wednesday 13 March 2024 at 10.00am**

You are called upon to attend the above meeting where it is proposed that the matters set out on the agenda below will be considered and resolution or resolutions passed as the Planning Working Group considers appropriate.

The Planning Working Group will meet virtually via the Zoom software platform. Please note the start time of the meeting. Those members of the public wishing to view the meeting or speak on a planning application, are required to register by emailing planning@sidmouth.gov.uk at least 24 hours before the start time of the meeting, after which virtual meeting details will be sent out to speakers.

The Chair of the meeting has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time. Individual contributions will be limited to a maximum period of three minutes. Where there is an interested group of objectors or supporters, a spokesperson should be appointed to speak on behalf of the group.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Ch Holland', written over a thin horizontal line.

Christopher E Holland
Town Clerk

AGENDA

1 Apologies

To receive apologies for absence.

2 Declarations of Interest

To receive Declarations of Interest.

3 Minutes

To agree and delegate to the Chair of the Planning Working Group to sign as a true and accurate record, the Minutes of the Planning Committee meeting of 28 February 2024.

4 District Council Members

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

5 Statutory Obligations - Applications for consideration

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 Working Group 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. In accordance with Sidmouth Town Council Standing Orders Item 3(d) – (i) Members of the public may speak on each planning application on the agenda for up to three minutes.

6 Urgent items or Amended Plans Received After Formulation of the Agenda.

To receive a report from the Planning Clerk of any urgent planning items or amendments to planning applications received after the publication of the agenda.

7 Request by Local Planning Authority to reconsider based on Conservation Officer response:

23/1015/ADV East Ward	Mr Stephen Smith	Port Royal Club, The Esplanade, Sidmouth, Devon, EX10 8BG. Installation of a vinyl mounted sign on the front of the Crows Nest at the top of the building. (Attached Document).
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8 Applications for consideration

Applications can be found at: <https://planning.eastdevon.gov.uk/online-applications/>
(Type in or copy the application number into the box next to the search button, click on the documents tab and then on view documents.)

- | | | | |
|----|---------------------------|----------------------|--|
| 9 | 24/0326/FUL
East Ward | Dominic
Manser | 1 Royal London Court, Fore Street, Sidmouth, EX10 8AD.

First floor extension above existing entrance and WC. (Resubmission of 21/0387/FUL). |
| 10 | 24/0402/FUL
North Ward | Mr and Mrs
Foster | 45 Sid Park Road, Sidmouth, Devon, EX10 9BR.

Single storey rear extension. |

11	23/2523/FUL Salcombe Regis Ward	Mr & Mrs Eccles	Northcombe Farm, Salcombe Regis, EX10 0JQ. Proposed annexe (conversion of redundant rural building).
12	24/0428/FUL Sidbury Ward	James Hortop	Moorlands Farm, Mincombe Post, Sidbury, EX10 0QW. Construction of rear single storey extension and new front porch.
13	24/0184/FUL Sidbury Ward	Mr & Mrs Mitchell	Bundels, Ridgeway, Sidbury, Devon, EX10 0SF. Demolition of existing garage and storage shed; construction of new garage; alterations to existing driveway and retrospective approval for existing garden office.
14	24/0185/LBC Sidbury Ward	Mr & Mrs Mitchell	Bundels, Ridgeway, Sidbury, Devon, EX10 0SF. Demolition of existing garage and storage shed; construction of new garage; alterations to existing driveway and retrospective approval for existing garden office.
15	24/0263/MFUL South Ward	Mr Paull	Former Council Offices Knowle, Sidmouth, Devon, EX10 8HL. Redevelopment of site to provide: (a) Care home building (Class C2) with associated parking, landscaping, staff and resident facilities and associated works, (b) Extra care apartment building (53 units) with associated communal lounge, wellbeing suite, restaurant and care provision (class C2) (c) Retirement living apartment building (33 units) with associated communal lounge (Sheltered housing) and (d) Erection of 4 houses and 3 townhouses (Class C3). Along with accesses, internal car parking, roads, paths, retaining walls, refuse and landscaping associated with development; retention/refurbishment of building B, erection of habitat building and sub-stations. (Demolition of buildings other than building B) (Variation to previous application (23/0571/MFUL) showing removal of balconies and elevational changes to west elevation of Retirement Living block). (Amendment).
16	24/0367/FUL South Ward	Mr Adam Dent	Cypress Cottage, Station Road, Sidmouth, Devon, EX10 8NZ. Demolition of existing garage, construction of new single storey timber frame double garage with gable roof at rear of the property.
17	24/0459/FUL West Ward	Mr & Mrs David Beck	50 Arcot Park, Sidmouth, EX10 9HU. Proposed single-storey side and rear extensions.

18 Trees in Conservation Areas

- a) 24/0334/TCA Mrs Johanna Bundels, Ridgeway, Sidbury, EX10 0SF.
Sidbury Ward Mitchell
T1, Poplar : crown lift 3m above ground level, maximum diameter cuts (MDC) 25-50mm to remove low branches and branches overhanging neighbours property. T2, Apple : branch reduction of 2-2.5m creating 2m lateral clearance from adjacent property on northern aspect, MDC 25mm. T3, Apple : branch reduction of 1-2m creating 2m lateral clearance from adjacent property on southern aspect, MDC 25mm.
- b) 24/0223/TCA 13 Cottington Court, Sidmouth, EX10 8HD
South Ward
T1: Yew - reduce height by 1.5-2m, and reshape/prune back all lateral branches by 1-1.5 metres to leave a balanced form. Topping cuts of 6-9cm diameter. Lateral cuts of 3-6cm diameter. (DR)

19 Tree Preservation Orders

Applications relating to Trees protected by a Tree Preservation Order.

- a) 24/0127/TRE Brinkburn Court, Manor Road, Sidmouth, EX10 8SB.
South Ward
T376, Lime : crown raise to 3m over public footpath to comply with the Highways Act 1980, maximum diameter of cuts (MDC) 50mm.
T377, Rowan : remove epicormic growth from base, MDC 25mm.
G1001, Limes (group of 4) : repollard, MDC 75mm. (DR).

20 Notification of a new Tree Preservation order.

None received at the time of the publication of agenda.

21 Notification of any works which constitute an exemption to a Tree Preservation Order

None received at the time of the publication of agenda

22 Unsupported decisions

None received at the time of the publication of agenda.

23 Appeals

- a) APP/U1105/D/2 Ms J Grigg 41 Fleming Avenue, Sidmouth, Devon, EX10 9NH.
4/3337466
Erection of first floor side extension.

24 Enforcement Letters

None received at the time of the publication of agenda.

- 25 **New East Devon Local Plan;** To receive any update as necessary on the current process to develop a new East Devon Local Plan.

Forthcoming Council and Working Group meetings:

20 March Tourism and Economy Committee
27 March Planning Working Group
8 April Council

Sidmouth Town Council's Planning Working Group
held on Wednesday 28 February 2024
 (The Working Group met virtually)

Councillors present: Kelvin Dent (Chair)
 John Nicholson
 Rachel Perram

Apologies: Cllr Bernie Davis
 Cllr Chris Lockyear
 Cllr John Loudoun
 Cllr Louise Laybury

Also present: Cllr Ian Barlow
 Cllr Edward Willis Fleming

The meeting started at 10.00am and finished at 12.00pm

775 Declarations of Interest

Cllr Kelvin Dent	24/0263/MFUL	Personal	Item deferred.	Resident of Knowle Drive
Cllr Rachel Perram	24/0138/TCA	Personal	Remained in the meeting but did not vote	Neighbour
Cllr Edward Willis-Flemming	23/2360/FUL	Personal	Remained in the meeting	Friend
Lucy Whittaker Planning Clerk	23/2360/FUL	Personal	Remained in the meeting.	Neighbour
Lucy Whittaker Planning Clerk	24/0184/FUL 24/0185/LBC	Personal	Item deferred.	Friend

776 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 is on the basis that the views expressed are preliminary views taking account of the information presently made available to the Town/Parish Council. The District Councillors reserve their final views on the application until they are in full possession of all the relevant arguments for and against.

777 Minutes

Members agreed that delegated authority be given to the Chair of the Planning Working Group to sign as a true and accurate record the Minutes of the Planning Working Group meetings of 14 February 24.

The Chair reported that Advertising Consent 24/0146/ADV had been deferred at the previous meeting in order to obtain advice from the Local Planning Authority. The Conservation Officer had responded that she had no objection to the various signs but would like to receive clarification regarding the materials to be used for the sign above the main entrance.

778 24/0146/ADV Sonja Joules, Market Place, Sidmouth, EX10 8AR.
East Ward Critchley Banking hubs signage and branding including 1no. externally illuminated heritage brand fascia and 2no. illuminated projecting signs. 1no. directory of services sign and 2no. illuminated marketing posters. An A4 opening hours sign, an A5 Assistance sign and an A5 CCTV sign will be positioned on the entrance door.

RESOLVED: that the Town Clerk, in consultation with the Chair, be authorised to APPROVE the application subject to the Conservation Officer being satisfied with the materials to be used for the sign above the main entrance.

779 Responding to Planning Applications

A discussion document on how Sidmouth Town Council might respond to future consultation by the Local Planning Authority was considered and responses agreed by Members.

RESOLVED: That, whilst it was open to the Town Council to respond to the Local Planning Authority with whatever observations were considered to be relevant, the standard replies would be as follows:

1. That where the Town Council have no strong feelings either way about a planning application it should respond “no objections”.
2. That the Town Council should respond “do not support” in cases where it has concerns about an application backed by policy reasons e.g. because of overlooking neighbours.
3. That the Town Council should respond “support” only in rare cases where it actively supports an application and would really like to see the proposed development carried out e.g. where the application includes an element of public benefit.
4. That the Town Council should respond “object” only in those rare cases where the application proposes palpable public harm to local amenities.

780 Applications for consideration

RECOMMENDED: That in respect of the Planning Applications set out below, representations to the manner in which they should be determined, be made known to the East Devon District Council in accordance minute 230 of Council, 19 April 2021 and with schedule 16 of the Local Government Act 1972.

781 23/2537/FUL Mr Jorge Sidmouth Swimming Pool, Ham Lane, Sidmouth, EX10 8XR.
East Ward Pineda-
Langford
(EDDC) Erection of a new public toilet building. (Amendment).

OBJECT: The utilitarian block like building, would obscure and spoil the visibility and view of the Tourist Information Centre and Swimming Pool, key facilities, and requirements for visitors to Sidmouth and would result in congestion in this busy and already restricted area. The proposal would not preserve the conservation area by being a purely functional building and does not pay attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Whilst also contradicting Policy 7 of the Sid Valley Neighbourhood Plan. It did not complement or enhance the local distinctiveness of the character of its immediate locality. The amendments did not provide Members with sufficient reasons to overcome previous concerns.

NOTE: Members wished to draw to the attention of the applicants, that some of the pictures submitted with the application were contradictory and misleading.

- 782** 23/2360/FUL Mr & Mrs Castle Hill House, Greenhead, Sidbury, EX10 0QD.
Sidbury Ward Webb Replacement of existing detached double garage with new detached double garage and games room with ancillary annex accommodation over. (Amendment).

NO OBJECTIONS

NOTE: Members recommended the inclusion of a condition that the use of the annex should be ancillary to that of the main building.

- 783** 24/0222/FUL Mr Ralph Bramley, Ridgeway, Sidbury, EX10 0SF.
Sidbury Ward Watson Erection of a bungalow.

DO NOT SUPPORT: The overall design of the bungalow failed to consider the local distinctiveness of Sidbury and did not contribute positively to the character and appearance of the Conservation Area. Members felt the design to be contrary to the Sid Valley Neighbourhood Plan Policy 7: Design and Distinctiveness. Preference was for a design that aligns with the existing architectural style, materials, and local aesthetic of the locality.

- 784** 24/0184/FUL Mr & Mrs Bundels, Ridgeway, Sidbury, Devon, EX10 0SF.
Sidbury Ward Mitchell Demolition of existing garage and storage shed; construction of new garage; alterations to existing driveway and retrospective approval for existing garden office.

DEFERRED: to await the views of the Ward Member at a future meeting.

- 785** 24/0185/LBC Mr & Mrs Bundels, Ridgeway, Sidbury, Devon, EX10 0SF.
Sidbury Ward Mitchell Demolition of existing garage and storage shed; construction of new garage; alterations to existing driveway and retrospective approval for existing garden office.

DEFERRED: to await the views of the Ward Member at a future meeting.

- 786** 24/0281/AGR Mr Andrew Chineway Farm, Putts Corner, Sidbury, Sidmouth, EX10 0QQ.
Sidbury Ward Hall Agricultural building for hay, straw and storage of machinery.

NO OBJECTIONS

NOTE: In view of the recent planning history in the area and its sensitive location, Members would like the Local Planning Authority to ensure the barn was used solely for agricultural use (for example by means of an agreement or a condition tying the barn to a particular farm or requiring the removal of the barn if it is no longer required for agriculture.)

- 787** 24/0311/FUL Mr & Mrs Uphills, Greenway Lane, Sidmouth, EX10 0LZ.
West Ward Chistopher Proposed Change of Use from residential Annex (for ancillary
Mead accommodation) to a Holiday Let

NO OBJECTIONS.

- 788** 24/0263/MFUL Mr Paull Former Council Offices Knowle, Sidmouth, Devon, EX10 8HL.
South Ward
Redevelopment of site to provide: (a) Care home building (Class C2) with associated parking, landscaping, staff and resident facilities and associated works, (b) Extra care apartment building (53 units) with associated communal lounge, wellbeing suite, restaurant and care provision (class C2) (c) Retirement living apartment building (33 units) with associated communal lounge (Sheltered housing) and (d) Erection of 4 houses and 3 townhouses (Class C3). Along with accesses, internal car parking, roads, paths, retaining walls, refuse and landscaping associated with development; retention/refurbishment of building B, erection of habitat building and sub-stations. (Demolition of buildings other than building B) (Variation to previous application (23/0571/MFUL) showing removal of balconies and elevational changes to west elevation of Retirement Living block). (Amendment).

The meeting would have become inquorate if the Chair withdrew because of the personal interest which he had declared in the application and the item was therefore **DEFERRED**

789 Trees in Conservation Areas

- a) 24/0138/TCA Mrs Deb Swift Flat 1, Glenthorne, Convent Road, Sidmouth, EX10 8RL.
South Ward
Pittisporum: crown reduce by no more than 1.5m and maintain clearance of 2.5m above footpath on Cheese Lane.

NOTED

790 Trees with preservation order

Applications relating to Trees protected by a Tree Preservation Order.

- a) 24/0277/TRE David Sherwood, Salcombe Hill Road, Sidmouth, Devon, EX10 8JS.
Salcombe Regis Barlow T1, Lime: re-pollard to previous reduction points.
Ward

DEFERRED: Awaiting Officers report.

791 Exemption to a Tree Preservation Order

None received.

792 Appeals

None received.

793 Unsupported decisions

None received.

794 Enforcement Letters

None received.

795 Urgent Items

None received.

796 New Draft Local Plan Update

Work on preparing the new Local Plan was continuing, EDDC had been considering reducing-the 'Green Wedge' between Sidford and Sidbury and including an allocation of housing adjoining the A375 road ref: LP_Sidm_06a to which the Town Council have already objected. However, it was understood that possible amendments to Green Wedges would receive further consideration at a future meeting.

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CHAIR OF THE PLANNING WORKING GROUP

Responding to planning applications – A discussion paper

1. When planning applications are submitted to EDDC, the Planning Authority, Sidmouth Town Council, in common with all other Town and Parish Councils, are consulted and invited to submit observations which can be as broad or narrow as we wish.
2. On 12th February I e-mailed EDDC as follows:

“I would appreciate your views, please, on the terminology which Town and Parish Councils in East Devon adopt when they respond to consultation by EDDC, as Local Planning Authority, on planning applications.

In Sidmouth, for many years, we have followed the following convention and replied as follows:

Do not support (where the Town Council considers that an application is unacceptable - supported by planning policies)

Object (where the Town Council considers that a proposal is so unacceptable that we formally object. The only occasion I am aware of is the proposal for new public toilets and a changing room in front of the swimming pool - application 23/2537/FUL)

Support (this is our default response when we have no objection to a planning proposal. You might consider that it would be more appropriate if we responded by stating **No objections** and to respond by saying "support" only on those rare occasions when the Town Council actively support a planning proposal eg where an element of public benefit is involved.

I would be very interested in your thoughts, please, and an indication of how other Town and Parish Councils respond.

Many thanks,

Kelvin Dent

(Chair of Planning, Sidmouth Town Council).”

3. I received the following response from the Development Manager the following day.

“The query is very relevant as how a Town or Parish Council responds impacts on whether a planning application is determined:

- (i) At Senior officer level under delegated powers.*
- (ii) At Principal officer level under delegated powers.*
- (iii) At an informal meeting with the Chair of the Planning Committee with the Ward Members invited; or*
- (iv) At full Planning Committee.*

If the parish comment is interpreted to be at odds with the officer recommendation it can result in the decision making for the application moving up the ‘hierarchy’ - this will also depend on the type of application, for example where the officer recommends approval, a householder application with a Town or Parish objection can be determined by a Principal planning officer, but a major application would have to be determined at Planning Committee.

We would interpret 'do not support' and 'object' both as being an objection to the application and 'support' as being positively in favour of the application.

If you prefer to differentiate between 'do not support' and 'object' the reasons for the comment would no doubt be clear from your explanatory text – but both comments would mean that if the officer was to recommend approval that it would be considered to be contrary to the view of the Town or Parish Council and would need to 'go up the hierarchy' in terms of how it is determined by EDDC.

What would be very helpful is that if you have no strong view either way, ie., you neither support nor object, that your response could be 'Neutral' rather than 'Support' – this could help to speed up decision making when the officer recommendation is for refusal.

I hope this is of some assistance and thank you for your enquiry."

4. Although I did not ask specifically about the hierarchy of decision making, the response is very informative.
5. Regarding the terminology which we currently follow in responding to consultations:
 - a) Both "do not support" and "object" are taken by EDDC as an objection.
 - b) When we have no strong views either way, EDDC would prefer us to say "neutral" rather than "support". However,
 - c) I prefer the term "no objections" to "neutral". "No objections" suggests that we have looked carefully at the proposal, considered the effect on neighbours, taken into account any objections and relevant policies and come to an informed decision.

6. Recommendations:

1. That where the Planning Working Group have no strong feelings either way about a planning application it responds, "**no objections**".
2. That the Planning Working Group responds "**do not support**" in cases where it has concerns about an application backed by policy reasons e.g. because of overlooking neighbours.
3. That the Planning Working Group responds "**support**" only in rare cases where it actively supports an application and would really like to see the proposed development carried out e.g. where the application includes an element of public benefit.
4. That the Planning Working Group responds "**object**" only in those rare cases where the application proposes palpable public harm to local amenities.

Kelvin Dent, Chair of Planning Working Group (in consultation with the Town Clerk)

February 2024